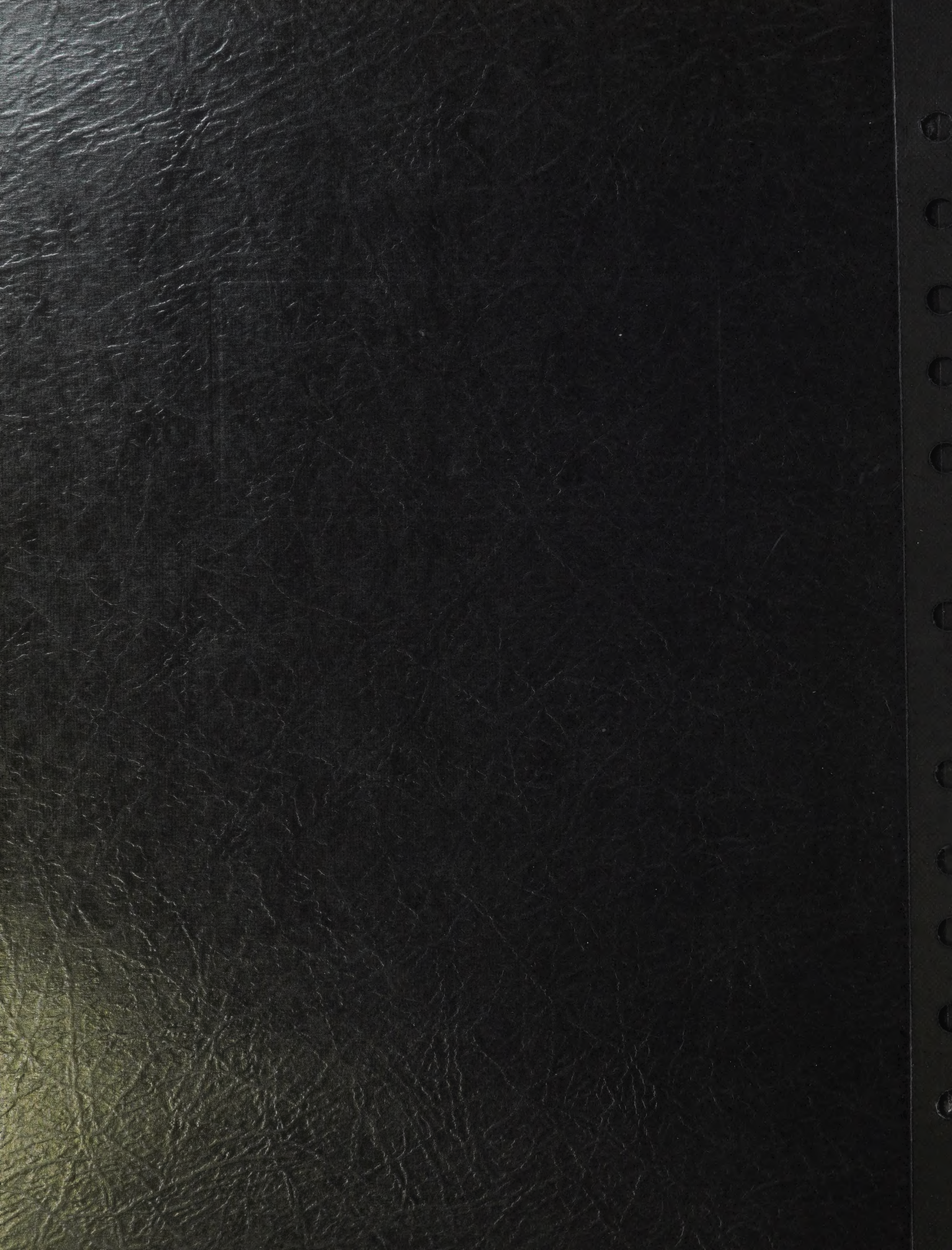


CA4ONHBLA05  
A31  
MAY 1990 -

URBAN/MUNICIPAL

AGENDA/MINUTES OF THE  
COUNCIL OF THE CORPORATION  
OF THE CITY OF HAMILTON







URBAN/MUNICIPAL

CA40NHBLA05

A 31

CITY CLERK

J.J. SCHATZ  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

**THE CORPORATION OF THE CITY OF HAMILTON**  
OFFICE OF THE CITY CLERK

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MAY 8 1990

**MEETING OF THE COUNCIL** GOVERNMENT DOCUMENTS

**OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, 1990 May 8  
7:30 o'clock p.m.  
Council Chambers, City Hall

**A G E N D A**

1. Opening Prayer  
  
Rev. Father George Vukelich  
St. Nicholas Serbian Church  
1415 Barton Street East
2. Proclamations  
  
(a) "ROYAL WEEK"  
May 14 to 21, 1990
3. Certificate of Recognition to Garrett Prins
4. Minutes  
  
1990 April 24
5. Petitions and Correspondence





**6. Reports of the Standing Committees**

- (a) Finance and Administration Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (f) Report of His Worship Mayor Robert M. Morrow

**7. Notices of Motion from Previous Meeting**

- (a) Alderman T. Murray
- (b) Alderman Wm. McCulloch
- (c) Alderman V. J. Agro

**8. Notices of Motion for Next Meeting**

**9. First Reading of the Bills**

**10. Second Reading of the Bills - Committee of the Whole**

**11. Third Reading of the Bills**

**12. Question Period**

**13. Adjournment**







MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, APRIL 24, 1990  
7.30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher,  
Ross, Murray.

ABSENT: Alderman Smith (City Business).

His Worship Mayor Robert M. Morrow called the meeting to order.

Father Spracz, Holy Cross (Croatian) Church, led the Council in prayer.

\* \* \* \* \*

His Worship Mayor Robert M. Morrow read the following Proclamations:

- (a) "DAY OF MOURNING" - April 28, 1990
- (b) Presentation of a Grant by Dr. Lily Oddie Munro, M.P.P., Hamilton Centre, to the Hamilton and District Labour Council, towards the Injured Workers Monument.
- (c) "TORNADO AWARENESS DAY" - April 20, 1990
- (d) "ORGAN DONOR AWARENESS WEEK" - April 22-28, 1990
- (e) "SAVE THE CHILDREN WEEK" - April 29-May 5, 1990
- (f) "NATIONAL FOREST WEEK" - May 6-12, 1990
- (g) "ARBOR WEEK" - April 27-May 6, 1990

\* \* \* \* \*

The Great Ride To Beat Cancer - Invitation to Participate.

\* \* \* \* \*



PRESENTATIONS:

- (a) Jamesville Plaques re Historic and Economic Redevelopment of James Street North - by Alderman Wm. McCulloch.
- (b) Recognition of Contest Winners - Culture and Recreation Services Slogan "Friendly and Fun".

\* \* \* \* \*

The minutes of the meeting of April 10, 1990, were taken as read and approved.

\* \* \* \* \*

The following communications were received and forwarded to the appropriate Committee, except as indicated:

- 1. Letter dated April 3, 1990, from Mr. David T. Wilson, President, Hamilton and District Labour Council C.L.C., 1025 Barton Street East, Hamilton, Ontario, re bilingualism. **Received.**
- 2. Letter dated April 3, 1990, from Mr. James C. Andrews, Clerk Co-ordinator, County of Wellington, 74 Woolwich Street, Guelph, Ontario, re St. Marys Cement Co. - Tire Derived Fuel Project. **Referred to Finance and Administration Committee.**
- 3. Letter dated April 12, 1990, from Ms. Louise Gartshore, Assistant Clerk, City of Woodstock, Ontario, re recommendations from the DUTI Committee (Driving Under the Influence). **Referred to Transport and Environment Committee.**
- 4. Letter dated March 30, 1990, from Mr. Michael D. Panopoulos, President, Jamesville B.I.A., 329 James St. North, Hamilton, Ontario, re increase in parking meter rates. **Referred to Transport and Environment Committee.**
- 5. Application dated April 10, 1990, from Mr. John Morrison, 1159 Rawlings Drive, Pickering, Ontario, for a change in zoning of property located at 172 Sanford Avenue South. **Received.**
- 6. Application dated April 12, 1990, from Mr. Joe Majstorovich, 111 Monte Drive, Hamilton, Ontario, for a further modification to the zoning of property located at 2289 Barton Street East. **Received.**



7. Application dated April 18, 1990, from 668550 Ontario Limited, (A. Tuite and L. Centurami), 55-59 Rymal Road East, Hamilton, Ontario, for a change in zoning of property located at 69 and 75 Rymal Road East.  
**Received.**
8. Letter dated April 24, 1990, from Mr. Fred Loft, President, C.U.P.E., Local 5, re disciplinary matter concerning a member or members of C.U.P.E., Local 5.  
**Referred to Finance and Administration Committee.**

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Merling in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: 0 - CARRIED.

\* \* \* \* \*

(A) FINANCE AND ADMINISTRATION COMMITTEE- THIRTEENTH REPORT.

It was moved by Alderman Drury and seconded by Alderman Christopherson.

RESOLVED: that Sections 20 and 21, re establishment of Wheelchair Accessible Integrated Taxi Licences, be referred to the Taxi Advisory Committee with instructions to re-examine the Licensing Department Report of March 29, 1990.  
CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that the following be added as Section 28:

"28. That the estimated \$23,000. required for the treatment of sidewalks on Main Street West, from Highway 403 to Locke Street, as approved by City Council 1990 April 10, be financed from savings within the 1990 Road and Sidewalk Reconstruction Program." - CARRIED.

\* \* \* \* \*



(C) PARKS AND RECREATION COMMITTEE - EIGHTH REPORT.

Recorded vote on Section 4. (Re: Awarding of a Purchase Order  
for the Spraying of Grass in  
Various Parks.)

YEAS: Aldermen Cooke, Agro, McCulloch, Copps, Christopherson,  
Agostino, Lombardo, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman  
Gallagher.

RESOLVED: that Section 12, re parking lot improvements at the  
King's Forest parking lot, be amended by deleting  
Subsection (b), reading as follows:

"(b) That the City Treasurer be authorized to  
redirect funds from the Chedoke Golf Course  
parking lot project to facilitate immediate  
improvements at King's Forest."

be deleted and the following substituted in lieu  
thereof:

"(b) That the Finance and Administration Committee  
be requested to recommend the method of  
financing." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman  
Gallagher.

RESOLVED: that Section 13, re installation of chain link  
fencing at the three sports fields at Globe Park,  
be amended by deleting Subsection (b), reading as  
follows:

"(b) That the cost of providing chain link fencing  
around three ball diamonds of \$39,598. be taken  
from the Capital Funds Account No. CF5200-  
628754003, 'Upgrading of Stadium Facilities,  
Bernie Arbour Stadium'."

be deleted and the following substituted in lieu  
thereof.



"(b) That the Finance and Administration Committee be requested to recommend the method of financing." - CARRIED.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE- NINTH REPORT.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - NINTH REPORT.

\* \* \* \* \*

(E) CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT.

\* \* \* \* \*

(H) INFORMATION SYSTEMS COMMITTEE - SECOND REPORT.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman J. Gallagher be appointed Acting Mayor for the month of May, 1990. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*



NOTICES OF MOTION

Alderman Murray gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the Mayor's Race Relations Committee be restructured by reducing its membership to 12 members, and those citizens applying for membership would be subject to the same procedures that are in place to select other Committees or Boards reporting to Council. The Finance Committee would be responsible for holding interviews to select membership and that the new restructured Committee would report to the Finance and Administration Committee.

\* \* \* \* \*

Alderman McCulloch gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the Council change the constitution of the Committee of Adjustment, to consist of members of Hamilton City Council, for a period of six months.

\* \* \* \* \*

Alderman Agro gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the H.E.C.F.I. Board be restructured as a nine (9) member Board, consisting of six (6) citizen members, the Mayor, and two (2) Aldermen and, further, that the H.E.C.F.I. Board select both the Chairman and Vice-Chairman of the Board, and that the new Board determine ways and means of giving each of the three (3) facilities more autonomy.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-16,  
D-46, D-47, D-48.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 16.



NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Merling in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Jackson, Ross, Murray. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Jackson, Ross, Murray. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time.

A-16,  
D-46, D-47, D-48.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Jackson, Ross, Murray. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*



City Council adjourned at 9.25 o'clock, p.m.

\* \* \* \* \*

C O R R E S P O N D E N C E





Correspondence

1. Application from Sapte investments Inc., 16 Westaway Place, Hamilton, for a modification to the zoning of property located at 54 Hess Street.

**Recommendation:**

**Be Received.**

2. Application from Simcoe & Erie General Insurance Company, 505 York Boulevard, P.O. Box 2018, Hamilton, Ontario, for a further modification to the zoning of property located at 39 and 41 Devonport Street.

**Recommendation:**

**Be Received.**

3. Resolution dated April 30, 1990, from The Corporation of the City of Brampton, 150 Central Park Drive, Brampton, Ontario, re door-to-door mail delivery.

**Recommendation:**

**Refer to Finance & Administration  
Committee.**

4. Resolution dated May 2, 1990, from the County of Oxford, P.O. Box 397, Woodstock, Ontario, re Employer Health Tax Assessment on retroactive wages for the years prior to January 1, 1990.

**Recommendation:**

**Refer to the Regional Health  
& Social Services Committee.**







RECEIVED

150 Central Park Drive  
Brampton, Ont. L6T 2T9  
793-4110

CITY CLERKS

# The Corporation Of The City Of Brampton

## Office of the City Clerk

1990 04 30

Dear Municipal Colleague:

RE: Postal Kiosks  
Clerk's File: G24G

The Council of the City of Brampton at its meeting held on 1990 04 23, passed the following resolution:

"THAT the City of Brampton only accept door-to-door mail delivery and we reject all other forms of mail pickup and this resolution be circulated to all communities over 25,000 population and to our local M.P.'s John McDermid and Harry Chadwick."

I would request that the resolution be placed before your Council for their consideration and endorsement.

Yours truly,

*for Martha Murphy*  
R. D. Tufts  
Assistant Clerk

RDT:cs

cc: J. A. Marshall  
J. G. Metras





J. H. WALLS, A.M.C.T., C.M.C.  
Clerk  
Phone: (519) 539-5688



COUNTY OF OXFORD  
P.O. Box 397, Court House  
Woodstock, Ontario N4S 7Y3  
FAX: (519) 537-3024

H.G. DAY, A.M.C.T.  
Treasurer  
Phone: (519) 537-6601

May 2, 1990

RECEIVED

MAY 4 1990

CITY CLERKS

TO: Counties and Regions of Ontario

All Municipalities in Ontario  
with a Population of 50,000 and Over

The Council of the County of Oxford, at its meeting held on April 25, 1990, endorsed the attached Resolution and directed that it be circulated to M.P.P.s, the Association of Municipalities of Ontario, Counties and Regions and all municipalities in Ontario with a population of 50,000 and over for endorsement.

Please have your Council consider the concerns expressed in the Resolution. A response to these concerns and endorsement would be appreciated.

Yours truly,

A handwritten signature in cursive script that reads "J. Harold Walls".

J. Harold Walls  
County Clerk

JHW:bjt  
Encl.

Copy - Mr. Charlie M. Tatham,  
M.P.P., Oxford

Mr. Gordon Miller,  
M.P.P., Norfolk

Mr. Grant Hopcroft,  
President,  
Association of Municipalities  
of Ontario

Mr. Brian D. McReynolds,  
Administrator,  
Woodingford Lodge







COUNTY OF OXFORD

COUNTY OF OXFORD

WOODINGFORD LODGE (HOME FOR THE AGED)

Resolution of Committee of Management Meeting dated April 18, 1990

Received and Adopted by Oxford County Council on April 25, 1990

Resolution:

"Whereas labour negotiations in essential services are often settled through arbitration.

Whereas such Arbitration Awards are not always made during the current fiscal year resulting in retroactivity on wages.

Whereas the Employer Health Tax became effective January 1, 1990.

Therefore, be it resolved that the Ministry of Revenue be petitioned to waive the Employer Health Tax Assessment on retroactive wages for the years prior to January 1, 1990."











## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its FIFTEENTH Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Crystaplex Plastics Ltd., Mississauga, in the amount of \$32 968.77, to supply and install glass rink boards and frames, Mountain Arena, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest acceptable of three (3) quotations received. Funds provided in Mountain Arena Rink Slab Replacement Account No. CF5255 318941014.

2. That a purchase order be issued to Provincial Traffic Signs, Port Perry, in the amount of \$14 130 plus provincial sales tax at 8%, for the supply and delivery of Galvanized "U" Channel Posts to Purchasing Stores in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of eight (8) tenders received. Funds provided in Stock Inventory Account No. CH56103 28999.

3. That purchase orders be issued for the replacement of three (3) Diesel Powered Turf Tractors, Units #9516, 9469/94, Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

O'Neils Farm Equipment, Binbrook

In the amount of \$16 433.28 to replace One Tractor without cab, Unit #9516

Crossroads Equipment, Jerseyville

In the amount of \$36 030.66 to replace Two Tractors with cabs, Units #9469/94

NOTE: Lowest of six (6) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

4. (a) That permission be given to the Hamilton Veterans' Committee to form up their Annual Decoration Day Parade in the City Hall forecourt on Sunday, 1990 June 10 from 11:30 o'clock a.m. to 12:10 o'clock p.m.
- (b) That in the event of inclement weather permission be given to the Hamilton Veterans' Committee to hold the Decoration Day Memorial Service in the City Hall forecourt.
- (c) That the first floor washroom facilities in City Hall be made available to the Veterans' Associations between 11:30 o'clock a.m. and 12:10 o'clock p.m.

5. That civic silver pins be awarded to the following members of the Bishop Ryan Wrestling Team for winning the 1990 Ontario Federation Secondary School Athletic Association Wrestling Championships on 1990 March 5-6 at the University of Windsor:

Anthony Campese	Carmen Centurami
Mike Boccalon	Jason Mancini
John Reda	Vince Billeci
Tom Curran	Brian Curran
Mike Chorley	Chris Travale
Anthony Santaguida	Peter Raniere
Cory Curran	Tyler Startek
Angelo Centurami	John DiBenedetto - Coach
John VanGoethem	Derm Tilley - Assistant Coach

6. That civic silver pins be awarded to the following members of the Hamilton Seekers Bantam Volleyball Team for winning the Ontario Bantam Championships held in Hamilton on 1990 February 17:

Barbara Sheahan  
Kelly Smith  
Charlene Kush  
Bina DiLivio  
Amanda Schweinbenz  
Paula Prentice  
Tara Messner  
Stu McCarthy - Coach  
Rob Luciani - Coach  
Maria Petruccelli - Coach

7. (a) That the City confirm that the Development Agreement between the City, the Cadillac Fairview Corporation Limited and Eaton Properties Limited, registered as Instrument No. 453533 C.D. and 222066, L.T. on April 22, 1988 is in good standing as of April 9, 1990.
- (b) That the City confirm that The Bridge Agreement among the City and the Region, The Cadillac Fairview Corporation Limited, and Eaton Properties Limited registered as Instrument No. 242450 L.T. on December 19, 1988 is in good standing as of April 9, 1990.

NOTE: The solicitors for Eaton Properties Limited, the Cadillac Fairview Corporation Limited and Cadillac Fairview/JMB Properties, co-owners and developers of the Hamilton Eaton Centre have been reviewing the title of the above noted property and have requested the City to provide them with a number of documents granting release of previously registered agreements affecting the property and providing them with notices of compliance to obligations in another agreement. The release of the old agreements include Site Plan Agreements, Development agreements, an Area Opening Agreement and a Sidewalk Maintenance Agreement of various dates, the earliest of which is from the year 1928.

8. (a) That the rental fee for the use of four parking spaces at the King-Jarvis Parking Lot by the "It's All Greek To Me!" Restaurant (Ms. Margaret Tsangarakis) for the purpose of establishing an outdoor patio restaurant be \$5 856 inclusive of realty taxes for a four month period commencing June 1, 1990 and terminating on September 30, 1990.
- (b) (i) That the Lease Agreement contain the proviso that the Lessee will provide the City with liability insurance to the extent of \$2 000 000.
- (ii) That the patio structure to be placed on the subject parking spaces be constructed to the satisfaction of the General Manager of the Parking Authority.
- (iii) That the Lessee be responsible for any business taxes as the use of the patio restaurant.
- (c) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.

NOTE: Pursuant to Item 12 of the ELEVENTH Report of the Finance and Administration Committee, City Council on April 10, 1990 authorized the leasing of four parking spaces for a four month period, subject to the Director of Property establishing a rental fee for this lease.



9. That the Appointments To and Terminations from Permanent positions with the Corporation to April 25, 1990, attached hereto and marked Appendix "A", be approved.
10. That the following resolution of the Township of Cumberland recommending that regulations and/or legislation, as required, be enacted immediately to have vent shields installed on all gas regulators in the Province of Ontario, not be endorsed.

THAT WHEREAS an investigation of a fire on November 29, 1989 has determined that an overpressure of the natural gas service was the result of a frozen regulator vent; and

WHEREAS the Council of the Township of Cumberland has previously recommended improvements be made to reduce this hazard;

BE IT THEREFORE RESOLVED THAT The Council of the Township of Cumberland recommends to the Minister of Consumer and Commercial Relations that the recommendations contained in the "Engineering Report of Fatal Fire, 1568 Hoskins Crescent", Office of the Fire Marshall dated September 30, 1987 be implemented;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Minister of Housing, the Solicitor General of the Province of Ontario and the Association of Municipalities of Ontario, as well as all urban municipalities.

NOTE: The Finance and Administration Committee concurs with the recommendation of Mr. L. C. King, Building Commissioner, that the above resolution not be endorsed.

11. That the request of the Cari-Can Festival Committee for permission to use the King Street West pedestrian bridge for the purpose of placing a maximum of six judges only to be seated facing the east window from approximately 12:00 o'clock noon to 3:00 o'clock p.m. for their parade competition, be approved.
12. That ceramic cups be used in City Hall for all City and Regional Council and Committee meetings and that the Region's Advisory Committee on Environmental Issues be requested to investigate the banning of styrofoam cups in City facilities.

13. (a) That the City of Hamilton support the principles of the A.M.O. Discussion Paper "New Dimensions" in Recommendation I, II, III, IV and VII.
- (b) That Recommendation VI be supported with the understanding that there will be full cost reimbursement, promptly and without excessive administrative requirements.
- (c) That the A.M.O. be requested to reconsider the need for municipal participation in the grant programs included in Recommendation V.

NOTE: The Recommendations contained in the A.M.O. Discussion Paper "New Dimensions" read as follows:

Recommendation I: A stable and consistent municipal revenue base comprised of property tax, user fees and revenue transfers (grants) must be clearly defined in a new revenue-sharing partnership agreement.

Recommendation II: A new general municipal support grant to replace the current inadequate Unconditional Grant Program.

Recommendation III: Elimination of some conditional grant programs with the funding allocation distributed to municipalities through the new Unconditional Grant Program - a general municipal support program.

Examples:   Municipal Roads Grant  
              Community Planning Grants  
              Community Area Improvement Program  
              PRIDE  
              Community Programs in Recreation  
              Wintario Development Program Grants  
              Wintario Capital Grants

Recommendation IV: Elimination of specific Conditional Grant Programs with program responsibility assumed by the Provincial Government. Municipalities could act as a delivery agent for some services, on a full cost recovery basis.

Examples:   Income Maintenance and Employment Support Programs  
              Child Care  
              Children's Aid Societies  
              Municipal Homes for the Aged  
              Municipal Housing Statement Program  
              Ontario Basic Mapping Program

Recommendation V: For those services assessed as a joint responsibility, retention of the existing cost-shared grant program.

Examples: Transit Specialized Operation & Capital Grant Program  
Elderly Person Centres  
Homemakers and Nurses Services Program  
Home Support Program  
Lifelines  
Sewer and Water Direct Grant Program  
Conservation Authorities  
A (New) Social Planning Grant Program

Recommendation VI: Continuation of those programs in which municipalities act as administrative agents for the Provincial Government.

Examples: Ontario Renewal Program  
Livestock Compensation Program  
Shoreline Property Assistance Program  
Drainage Works/Erosion Control Programs

Recommendation VII: Elimination of payments in lieu of taxes with the Federal and Provincial Governments paying their full share of property taxes.

14. (a) That the City of Hamilton maintain its contribution to the Hamilton Society for the Prevention of Cruelty to Animals (HSPCA) for 1990 only based on the "user pay" formula as approved by City Council 1990 January 30 (74.4%).
- (b) That for 1991 and future years the equalized assessment formula be applied (that is, the basis used to distribute the Regional budget among the six area municipalities) and include the entire budget for HSPCA for both capital and current within the Regional budget framework, subject to appropriate changes being made to the Regional Municipality of Hamilton-Wentworth Act.
15. (a) That the estimated cost in the amount of \$96 200 to undertake the parking lot improvement at the King's Forest Golf Course be financed from the Reserve for Capital Projects Account Centre No. CH 00203.
- (b) That the gross cost of the Capital Fund Account Centre No. CF 628945001 Renovate Chedoke Golf Course Parking Lot be reduced by \$96 200 and the excess financing on completion of this project be used to finance other capital projects for which debenture authorization has been received previously.



16. (a) That the cost to provide chain link fencing around three ball diamonds (Globe Park) in the amount of \$39 589 be financed from the Reserve for Capital Projects Account Centre No. CH 00203.
- (b) That excess funds in the amount of \$39 589 in the Capital Fund Account Centre No. CF 628754003 Upgrading of Stadium Facilities, Bernie Arbour Stadium be transferred to the Reserve for Capital Projects Account Centre No. 00203 and the gross authorized cost be reduced accordingly.
17. (a) That the "Reserve for Replacement of Motorized Equipment" be renamed the "Reserve for Office Equipment" and the definition be expanded to include microfilm equipment and weigh scales.
- (b) That the following pieces of equipment be replaced and funded from the Reserve for Office Equipment:

<u>Account Number</u> (1)	<u>Department</u> (2)	<u>Description</u> (3)	<u>Estimated Cost</u> (4)
CH5X621-00114	Treasury	Letter Opener - Mail Room	\$1 500
CH5X621-00114	Treasury	Electronic Weigh Scale - Coin Room	1 500
CH5X621-00114	Treasury	Electronic Typewriter - Tax (2)	2 200
CH5X627-00114	Building	Microfilm Jacket Readers (7)	3 750
CH5X627-00114	Community Development	Dictating Equipment	950
CH5X623-00114	Fleet Service	Calculators (2)	760
CH5X621-00114	Mayor's Office	Electronic Typewriter	<u>1 100</u>
			\$11 760
			=====

18. That the appeal recommendations for the 1990 General Grants in the total amount of \$110 390, as outlined in Appendix "B" attached hereto including footnotes, be approved and funded from within the Grants Account No. CH 5AXXX 200XX.

19. That the City of Hamilton provide an interest free loan in the total amount of \$225 000 to Theatre Terra Nova subject to the following terms and conditions:
- (a) That the loan shall be used for the sole purpose of purchasing a theatre facility for Theatre Terra Nova;
  - (b) That the City Treasurer be authorized and directed to negotiate a repayment schedule for Council approval including the term of the loan, the amount and frequency of payments and the interest upon arrears of payments, if any;
  - (c) That the loan shall be secured by a second mortgage registered prior to the advance of the City's loan to Theatre Terra Nova provided that:
    - (i) the first and second mortgages do not exceed 75% of the appraised value of the property;
    - (ii) the solicitor for Theatre Terra Nova handling the purchase of the property prepares the mortgage satisfactory to the City Solicitor and certifies that the City has a good and valid second mortgage;
    - (iii) the solicitor for Theatre Terra Nova certifies to the City that the loan is not contrary to Section 112 of The Municipal Act.

NOTE: Theatre Terra Nova is presently located on a rented accommodation as a tenant at 77 Dundurn Street South, former church building on the corner of Dundurn and Main Streets. On January 22, 1990 they received an eviction notice to vacate the property no later than six months (i.e. July 22, 1990) for the purpose of remodelling and/or demolition. They have requested a \$225 000 interest free loan from the City, payable over fifteen years.

20. That leave be granted to introduce the following Bills:
- (a) Bill A-23 A By-law to Levy the Special Charges for 1990 for the Improvement Area in the Area Between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151.
  - (b) Bill A-24 A By-law to Authorize the Levy of a Special Charge in Respect of The Jamesville Business Improvement Area Generally Comprised of Lands on the East and West Side of James Street North Between the Railway Tracks on the North and King William Street on the South.

- (c) Bill A-25 A By-law to Authorize the Levy of a Special Charge in Respect of The Westdale Business Improvement Area Generally Covering King Street West Between the Area of the Intersection of Cline Avenue and King Street West and Extending to an Area West of Newton Avenue and Sterling Street.
- (d) Bill A-26 A By-law to Authorize the Levy of a Special Charge in Respect of Barton Street East #1 Business Improvement Area Generally Covering Both Sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street.
- (e) Bill A-27 A By-law to Authorize the Levy of a Special Charge in Respect of The International Village Business Improvement Area Generally Covering Both Sides of King Street East Between Mary Street and Wellington Street North.
- (f) Bill A-28 A By-law to Authorize the Levy of a Special Charge in Respect of The Concession Street Business Improvement Area Generally Comprised of Lands Covering Concession Street Between 18th Street and East 25th Street.
- (g) Bill A-29 A By-law to Authorize the Levy of a Special Charge in Respect of The Ottawa Street North Business Improvement Area Generally Covering Ottawa Street North Between Main Street East and Extending to an Area North of Barton Street East.
- (h) Bill A-30 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary  
1990 May 3  
/bc





THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. David G. Bendia	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. R. P. Reid - retired	\$30,788.67	\$30,788.67 per annum	17/04/90
Mr. Antonio J. Borges	Mechanic (C-6/B)	Fire	Replacing Mr. R. Kay - promoted	\$40,858.99	\$40,858.99 per annum	02/04/90
Mr. Michael L. Bromley	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. G. Smith - promoted	\$30,788.67	\$30,788.67 per annum	17/04/90
Mr. Gerry Cuddy	Manager of Business Application Systems (F)	Systems	Re-organization approved by Council 30/01/90	\$59,967.44 to \$70,564.00	\$70,564.00 per annum (5 of 5)	01/01/89
Mr. Stanley J. Double	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. F. G. Morse - retired	\$30,788.67	\$30,788.67 per annum	17/04/90
Ms. Betty Drury	Head Usher/Usherette Supervisor (8)	H.E.C.F.I.	Approved by H.E.C.F.I. Board 16/01/90	\$22,277.32	\$22,277.32 per annum	05/03/90
Mr. Robert Duckworth	Foreman/woman III (Chedoke) (13-C)	Public Works	Replacing Mr. M. Sheridan - resigned	\$31,010.72 to \$35,613.24	\$35,613.24 per annum (3 of 3)	09/04/90

Prepared 25/04/90

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Janine E. Gaunt	Program Organizer (A-7)	Culture & Recreation	Replacing Mr. G. Maychak - promoted	\$26,907.92 to \$32,934.20	\$26,907.92 per annum (1 of 5)	09/04/90
Mr. Joseph D. Gnatyszyn	Maintenance Assistant - HCC (8)	Convention Centre	Replacing Mr. D. Jenkins - resigned	\$22,277.32	\$22,277.32 per annum	17/04/90
Ms. Barbara C. Harrison	Taxation Clerk IV (E-4)	Treasury	Replacing Ms. A. Apkarian - promoted	\$22,891.44 to \$24,534.64	\$22,891.44 per annum (1 of 3)	19/03/90
Mr. Kenneth Harrop	Facilities Co-ordinator (I)	Culture & Recreation	New Position approved by Council 12/12/89	\$49,972.52 to \$58,883.24	\$54,307.24 per annum (3 of 5)	09/04/90
Mr. K. Ronald Henderson	Truck Driver-Labourer (Litter Containers) (D-8)	Public Works	Replacing Mr. B. Merritt - promoted	\$28,473.12 to \$28,889.12	\$28,473.12 per annum (1 of 2)	26/03/90
Ms. Marylou Hudon-Stroud	Typist Clerk Dispatcher (E-2)	Public Works	New Position approved in 1990 Budget	\$19,560.84 to \$21,073.00	\$19,560.84 per annum (1 of 3)	09/04/90
Mr. Kozo Kumita	Manager of Operations (H)	Systems	Re-organization approved by Council 30/01/90	\$51,899.64 to \$61,171.24	\$61,171.24 per annum (5 of 5)	01/01/89
Mr. John Laurie	Garage Attendant (D-7)	Public Works	Replacing Mr. L. Perry - retired	\$28,306.72 to \$28,722.72	\$28,722.72 per annum (2 of 2)	26/03/90

Prepared 25/04/90



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Gregory J. Maychak	Program Co-ordinator (K)	Culture & Recreation	New Position approved by Council 12/12/89	\$42,145.48 to \$49,611.12	\$42,145.48 per annum (1 of 5)	19/03/90
Mr. Gary McAndrew	Lieutenant (C-7/A)	Fire	Replacing Mr. D. Farkas - transferred	\$47,584.01	\$47,584.01 per annum	15/04/90
Ms. Laura E. McDavid	Typist Clerk II (E-2)	Traffic	Replacing Ms. D. Slaman - promoted	\$19,560.84 to \$21,073.00	\$19,560.84 per annum (1 of 3)	26/03/90
Mr. Gerard Melia	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. N. MacPherson - retired	\$30,788.67	\$30,788.67 per annum	17/04/90
Ms. Shelley Merlo Orzel	Events Co-ordinator (K)	Culture & Recreation	New Position approved by Council 12/12/89	\$42,145.88 to \$49,611.12	\$42,145.88 per annum (1 of 5)	26/03/90
Mr. Bradley T. Merritt	Street Sweeper Operator (D-9)	Public Works	Replacing Mr. L. Crooker - promoted	\$28,649.92 to \$29,365.92	\$29,065.92 per annum (2 of 2)	02/04/90
Ms. Cathy C. Pasquini	Program Organizer (A-7)	Culture & Recreation	Replacing Ms. S. Merlo Orzel - promoted	\$26,907.92 to \$32,934.20	\$26,907.92 per annum (1 of 5)	10/04/90

Prepared 25/05/90

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Karl Roberts	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. A. Maxwell - retired	\$30,788.67	\$30,788.67 per annum	17/04/90
Mr. Paul D. Sokoloski	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. M. Feyerer - deceased	\$30,788.67	\$30,788.67 per annum	17/04/90
Mr. John T. Studer	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. S. J. Farkas - retired	\$30,788.67	\$30,788.67 per annum	17/04/90
Mr. Sidney Tinson	Traffic Serviceman II (A-3)	Traffic	Replacing Mr. J. Sadauskas - promoted	\$22,717.76 to \$25,807.60	\$22,717.76 per annum (1 of 4)	09/04/90
Mr. Gregory B. Warkentin	Probationary Firefighter (N-1/A)	Fire	Replacing Mr. E. M. Zelinski - retired	\$30,788.67	\$30,788.67 per annum	17/04/90

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Catherine Eckenrath	Counter Clerk-Typist	City Solicitor's	Retired	22 years, 5 months	30/04/90
Mr. Robert Gladish	General Foreman (Beautification)	Public Works	Resigned	9 months	30/03/90
Ms. Nancy Hermiston	Lifeguard I	Culture & Recreation	Resigned	3 years	30/04/90
Mr. Alexander Maxwell	Captain	Fire	Retired	27 years, 11 months	31/03/90
Mr. Boleslaw Ortyl	Caretaker	Property	Retired	18 years, 1 month	01/05/90
Mr. David L. Taylor	Refrigeration/AC Technician	Copps Coliseum	Resigned	1 year, 11 months	23/03/90
Mr. John Torosantucci	Large Power Grader Operator	Public Works	Retired	33 years, 9 months	30/03/90

Prepared 25/04/90





**CITY OF HAMILTON  
1990 GENERAL GRANTS REQUESTING APPEALS**

NO. (1)	APPLICANT (2)	REQUESTED AMOUNT (3)	ORIGINAL RECOMMENDED AMOUNT (4)	RECOMMENDED AMOUNT ON APPEAL (5)	PURPOSE OF REQUEST/COMMENTS (6)
1	DICTIONARY OF HAMILTON BIOGRAPHY	25,000	5,000	5,000	PRINTING COSTS OF "DICTIONARY OF HAMILTON BIOGRAPHY, VOLUME II"
2	GREENHILL CO-OP REC. & SOCIAL COMMITTEE	1,500	0	0	OFFSET COST OF FIREWORKS DISPLAY IN MAY
3	HAMILTON CARDINAL BASEBALL	8,000	2,000	2,500	LEAGUE FEES/TRAVEL/EQUIPMENT/PARK RENTAL
4	HAMILTON GYMNASIAC ACADEMY	22,940	0	0	SUPPLEMENT BINGO REVENUE TO OFFSET LEASE COSTS
5	HAMILTON PORTUGUESE INFO. CENTRE	20,000	0	0	TO ASSIST IN BUILDING COMMUNITY SERVICE CENTRE
6	HAMILTON-STONEY CREEK SKATING CLUB	5,000	0	500	OFFSET OPERATING COSTS-NOTE ALSO REQUESTING A C/R GRANT
7	HAMILTON THEATRE INC.	20,000	0	#1	NEW HEATING SYSTEM
8	HAMILTON-WENTWORTH CREATIVE ARTS INC	120,000	80,000	80,000	OFFSET COSTS OF FESTIVALS- FRIENDS, EARTHSONG AND BUSKINGFEST
9	MCQUESTON COMMUNITY ASSOC.	2,000	0	0	OFFSET OPERATING COSTS-SOCIAL PROGRAMS (?)--REGIONAL RESPONSIBILITY
10	MSU-CFMU-FM RADIO-9 HAMILTON WOMEN	15,000	0	0	PRODUCE 6 PART RADIO DOCUMENTARY ON 9 PROMINENT HAMILTON WOMEN
11	ROSEDALE COMMUNITY COUNCIL	5,000	0	0	PURCHASE BASEBALL EQUIPMENT
12	WESLEY URBAN MINISTRIES	92,760	5,000	5,000	OFFSET OPERATING (INCLUDING STAFF) COSTS FOR RECREATION PROGRAMS
13	CARI-CAN FESTIVAL	140,000	7,390	17,390	OFFSET COST OF THE ANNUAL CARI-CAN FESTIVAL
14	LINCOLN ALEXANDER COMMUNITY CENTRE	27,000	0	0	OFFSET OPERATING COSTS
<b>TOTAL</b>		<u>504,200</u>	<u>99,390</u>	<u>110,390</u>	

**NOTE:**

#1 - THAT A CAPITAL GRANT IN THE AMOUNT OF \$2,000 BE APPROVED FOR HAMILTON THEATRE INC. AND TO BE FINANCED FROM THE RESERVE FOR CAPITAL PROJECTS.

\* - THAT IN ADDITION THE PARKS AND RECREATION COMMITTEE BE REQUESTED TO CONSIDER FUNDING THE VICTORIA PARK COMMUNITY CENTRE WITHIN THE RECREATION DEPARTMENTAL BUDGET WITH THE ENDORSEMENT OF THE FINANCE AND ADMINISTRATION COMMITTEE FOR THE RECREATIONAL PROGRAMS OFFERED AT THE CENTRE.

Appendix "B" as referred to in  
Section 18 of the FIFTEENTH Report  
of the Finance and Administration  
Committee for 1990.









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report or 1990 and respectfully recommends:

1. (a) That approval be given to issue a purchase order in the amount of \$23 000. to retain a cost consultant, Huinink Consultants Ltd., for the New Traffic Operations Centre.

NOTE: Prime Consultant/Architect is currently preparing designs for the three schematic design options and is due for presentation on 1990 May 2. In order to utilize the Cost Consultant's services effectively, the purchase order had to issued on or before 1990 April 25. The above has therefore been processed through the emergency procedures of the City of Hamilton Purchasing Policy.

2. That a purchase order be issued to J. J. MacKay Canada Ltd., London, in the amount of \$42 122.44 including all taxes, for the conversion of parking meters, rates and coin types for the Traffic Department, in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest evaluated of two (2) tenders received. Funds provided in Parking Meters Account No. 56156 75999.

3. That a purchase order be issued to Laurentide Chemicals, Atlantic Division Ltd., Richibouto, New Brunswick for the supply and delivery of traffic paint as and when required during 1990 by the Traffic Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Non-coning white and yellow paint	\$ 1.77 litre
Coning white paint	1.56 litre
Coning yellow paint	1.55 litre
Non-coning thinner	1.20 litre
Coning Thinner	1.10 litre

Provincial sales tax at 8%

NOTE: Lowest of three (3) tenders received. Funds provided in Traffic Pavement Marking Material Account No. 56153 75999.

4. That the firm of Varga Bros. Wrecking Limited be awarded the contract for the demolition of buildings and clearance of the site of the District 5 Yard - Mohawk Road West according to the specifications as called for by the Manager of Real Estate, Property Department at the price of \$67 490 The lowest of three bids received.

NOTE: Funds available in Account No. CH5X327 00102.

5. (a) That the fee to have the Public Works Department staff install a banner over Main Street be increased from \$160 to \$215 for 1990; and
- (b) That authorization be given to adjust this fee annually, based on actual rates for costs incurred rounded to the next \$5 amount.
6. (a) That financial support up to \$4 100 be approved to assist in the preparation of the history of Local 5, C.U.P.E., for hiring a student to assist in the work.
- (b) That the \$4 100 be charged to Account No. 51401 60434, Cleaning of Vacant City Lands.

7. (a) That the following City lands be incorporated into the various streets as noted:
- |                                  |                       |
|----------------------------------|-----------------------|
| 1. Block 80, Plan 62M-616        | into Emperor Avenue   |
| 2. Block "B", Plan M-180         | into Ottaviano Drive  |
| 3. Block "A", Plan M-180         | into Angelina Place   |
| 4. Block 44, Plan 62M-429        | into Greenshire Drive |
| 5. Part 3, Plan 62R-9668         | into Crerar Drive     |
| 6. Part 1, Plan 62R-11032        | into Jackson Street   |
| 7. Part 2, Plan 62R-11032        | into Ferguson Avenue  |
| 8. Block 74, Plan 62M-633        | into Bastille Street  |
| 9. Parts 10 & 11, Plan 62R-10931 | into Bastille Street  |
- (b) That the appropriate by-laws be enacted to give effect to this resolution.
- (c) That the Commissioner of Engineering be authorized and directed to register the by-laws.
8. That the applications for Inadvertent Encroachment Agreements as outlined on Schedule "A", appended hereto, be approved during the pleasure of Council provided:
- a) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- b) That the Mayor, and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
- c) That a first year fee and a subsequent annual fee as determined in scheduled "A" be set for this privilege.
9. (a) That the request from Wentworth Condominium Corporation #116 for a discharge of the Encroachment agreement Registered as Instrument No. 340501 C.D. on January 20, 1986 which provides for driveways with retaining walls at 21 East Avenue South be approved provided that the discharge is prepared to the satisfaction of the City Solicitor.
- (b) That the appropriate City signing officials be authorized to execute the documents in relation to the discharge.



10. (a) That the submitted schedules for the estimated cost of services in:
- i) Rymal Estates, Hamilton  
City Share - \$202 406 Subdividers Share \$961 547.
  - ii) The Gardens of Rymal - Phase 1, Hamilton  
City Share - \$118 090.38 Subdividers Share \$147 256.
- be adopted for inclusion in the respective Subdivision Agreements with the owners.
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the respective owners.
- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Survey Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-servicing.
- (e) That the City's share of the cost of services for these developments (\$320 496.38) be approved, and that the Finance and Administration Committee recommend the source of funding for these projects.

THE FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS THAT THE CITY'S SHARE OF SERVICES INSTALLED IN "RYMAL ESTATES" IN THE AMOUNT OF \$202 406 AND THE "GARDENS OF RYMAL - PHASE 1" IN THE AMOUNT OF \$118 090.30 TO A TOTAL OF \$320 496.38 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS, ACCOUNT CENTRE NO. CH 00107.

11. That the application of Ms. K. W. Lo, proprietor of the Taipan House, at 13 Hess Street South, on behalf of the owner Mr. Wm. Robinson, requesting permission to establish an outdoor boulevard cafe, measuring 10.05m x 3.048m for a total area of 30.63m<sup>2</sup>, be approved during the pleasure of City Council provided that:
- (a) The owners prepare a Licensing Agreement and an Encroachment Agreement, satisfactory to the City Solicitor and the Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss, and the owners provide proof of \$1 000 000 public liability insurance naming the City of Hamilton as an added insured party, with a provision for cross-liability, and deliver the policy or certified copy or certificate thereof to the City Solicitor and maintain the policy during the currency of the agreements, and deliver annually a renewal certificate of the policy to the City Clerk.
  - (b) A Seasonal Licence (from May 1st to October 31st) first year fee of \$1 199.89, which includes an application fee of \$217., be set for the privilege of the Outdoor Boulevard Cafe;
  - (c) A subsequent annual fee of \$982.89 be set for the privilege of the Outdoor Boulevard Cafe; and
  - (d) The total first year fee of \$1 199.89 shall be due and payable to the Corporation, 30 days from the date of the resolution.
  - (e) The owners may occupy the licenced area of the boulevard from May 1st to October 31st and furniture, equipment, etc., must be removed from the area at all other times.
  - (f) The owners conform, without exception, to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafe" as adopted by Council on August 28, 1984; and as amended on July 30, 1985.

12. That the Hamilton and District Literacy Council be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday March 4 to March 11, 1991, with the following message:

"Hamilton Literacy Council Teaches Adults to Read Call 529-9907"

13. That the Memorial Cup Organizing Committee be permitted to display a promotional banner across Main Street West in front of City Hall, from Friday, May 4th to May 9th, 1990 with the following message:

"Welcome Canadian Hockey League-Memorial Cup"  
Copps Coliseum - May 4 - 13

14. That the application of Diane Morris, on behalf of the Hamilton B.I.A. - Downtown Promenade to hold a Sidewalk Sale on Mary Street, Catharine Street, and Hughson Street from King William Street to Main Street on Friday, May 11, 1990 (9:30 a.m. to 12:00 p.m.) and Saturday May 12, 1990 (9:30 a.m. to 5:30 p.m.) be approved by City Council provided that:

- a) The applicant save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- b) The applicant provide proof of public liability insurance in the amount of \$2 000 000., naming the City as an added insured, with a provision for cross-liability and submit said proof to the Commissioner of Engineering;
- c) Clean-up of the sidewalk will be carried out immediately following the event, at the expense of the applicant;
- d) The operation of the sale does not interfere with hydrants, and pedestrian traffic along the sidewalk, nor at bus stop areas. A minimum of 1.5m of unobstructed sidewalk must remain open for pedestrian traffic; and,
- e) The City of Hamilton Department of Public Works and the Regional Police Department be notified of this event.

15. That the closure of the following City Streets from 5:00 p.m. to 11:00 p.m. on Saturday, June 9, 1990 and Sunday June 10, 1990 in order that Comunita Racalmutise Maria Santissima Delmonte may hold a Street Festival:

- Murray Street East between Hughson St. and James St. North
- Murray Street West between James Street and McNab St. North
- James Street North between Barton Street and the CNR Bridge

be approved during the pleasure of City Council provided:

- a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- b) That advance temporary road closure signs be installed one week in advance by the City of Hamilton, if deemed appropriate by the Traffic Department, on the affected roadways, and at the expense of the organizing group.
- c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
- d) That the applicant provide proof of \$2 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss;
- e) That the applicant reimburse the Regional Police; Department of Engineering, City of Hamilton Traffic Department and any other agency for any costs incurred by these agencies as a result of this event.
- f) That no property owner or resident within the barricaded area will be denied access to their property upon request.
- g) That all property owners and tenants along the closed portion of the route be notified of the festival race by the applicant at least four weeks prior to the event in a form acceptable to the Commissioner of Engineering.



16. That Hess Street North be closed between King Street West and York Boulevard from 8:45 a.m. to 12:00 p.m. on Saturday, May 26 1990 in order that the Boy Scouts and Girl Guides may hold a parade provided:
- a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
  - b) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, if deemed appropriate on the affected roadways, and at the expense of the organizing group.
  - c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
  - d) That the applicant provide proof of \$2 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss;
  - e) That the applicant reimburse the Regional Police; Department of Engineering, City of Hamilton Traffic Department and any other agency for any costs incurred by these agencies as a result of this event.
  - f) That no property owner or resident within the barricaded area will be denied access to their property upon request.
  - g) That all property owners and tenants along the closed portion of the route be notified of the Parade by the applicant at least four weeks prior to the event in a form acceptable to the Commissioner of Engineering.
17. That Hamilton Hydro be instructed to proceed with the system modifications outlined in Schedule "B" and approved in the City's 1990 Current Local Roads Budget for Street Lighting in the total amount of \$374 000.

18. That the Chairman or his designate and one member of the Transport and Environment Committee be authorized to attend the Air and Waste Management Association - 83rd Annual Meeting and Exhibition, to be held in Pittsburg, P.A. June 24-29, 1990.

19. That, a contract position of Traffic Operations Technologist (Schedule A-14) be established in the City of Hamilton Traffic Department for a duration of 18 months.

NOTE: The salary, overhead and benefits for the employee conducting this project will be funded entirely by the Regional Engineering Department and the Ministry of Transportation, Ontario on an equally-shared basis. There will be no cost to the City.

In the 1990 current budget, the Engineering Department of the Regional Municipality of Hamilton-Wentworth has made provision for funding a project to review the timing of traffic signals in Hamilton and Hamilton-Wentworth.

The intention of the project is to review the timing of individual traffic signals and the relationship between adjacent traffic signals on a widespread basis. Such a comprehensive investigation has not been conducted since 1964.

20. That the City Traffic By-law No. 89-72 be amended to provide for the following:

- (a) That unrestricted parking be permitted on the east side and a full-time parking prohibition be implemented on the west side of Fraser Avenue between Argyle Avenue and Campbell Avenue, in place of the existing "Alternate Side Parking" regulation.
- (b) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Jackson Street West between Ray Street South and Pearl Street.
- (c) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Hess Street South, commencing at a point 109 feet south of Jackson Street West and extending to a point 90 feet southerly therefrom.

- (d) That parking be prohibited on the west side of Frid Street from Chatham Street to a point 169 feet northerly therefrom.
- (e) That a "Permit Parking" regulation be implemented on the south side of Mulberry Street commencing at a point 63 feet east of Bay Street North and extending to a point 65 feet easterly therefrom; and that the Director of Traffic Services be authorized to issue, upon request one time limit exemption permit to the resident at No. 104 Mulberry Street and two permits to the resident at No. 108 Mulberry Street.
- (f) That "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m. Monday to Saturday," regulation be implemented on both sides of Crockett Street between East 31st Street and East 32nd Street.
- (g) That stopping be prohibited on the north side of Inverness Avenue between Upper Wellington Street and East 11th; and that stopping be prohibited on the south side of Inverness Avenue from a point 30 feet west of the west curb line of East 11th Street to Upper Wellington Street.
- (h) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Maplewood Avenue commencing at a point 58 feet west of Springer Avenue and extending to a point 92 feet westerly therefrom.
- (i) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Edwina Place commencing at a point 92 feet south of Berko Avenue and extending to a point 120 feet southerly therefrom.
- (j) That parking be prohibited on the west side of Niagara Street commencing at a point 103 feet north of the C.N.R. Tracks and extending to a point 24 feet northerly therefrom.
- (k) That the existing "Permit Parking" regulation on the south side of Crestwood Drive which commences 25 feet east of David Street and extends to a point 20 feet easterly therefrom be relocated such that the regulation commences 77 feet east of David Street and extends to a point 20 feet easterly therefrom.

- (l) That stopping be prohibited on the north side of Crockett Street between East 34th Street and a point 69 feet easterly therefrom; and that stopping be prohibited on the south side of Crockett Street between East 34th Street and a point 47 feet westerly therefrom; and that the existing stopping prohibition on the north side of Crockett Street between East 34th Street and a point 50 feet westerly therefrom be shortened, such that the prohibition extends to a point 28 feet west of East 34th Street.
  - (m) That three-way stop control be implemented at the intersection of Cline Avenue South and Paul Street.
21. That the Director of Traffic Services be authorized to issue one time limit exemption permit to Ms. Leakhena Bun, 401 - 151 Queen St. North.
22. (a) That the Director of Traffic Services be authorized to provide parking infraction prosecutions for other Area Municipalities within the Region, on the basis of a charge of \$5.00 per prosecution for Traffic Court and \$40.00 per prosecution for the Appeal Court; and
- (b) That the actual cost of prosecution be monitored in order that the level of the charges may be reviewed in December of 1990; and
- (c) That the City Solicitor be directed to consider the need for an agreement between the City of Hamilton and the individual Area Municipalities, to formalize the terms of providing prosecution services in Court for those Area Municipalities wishing to participate and is deemed necessary, undertake to prepare the necessary agreement.
23. (a) That the City Solicitor be authorized to make an application to District Court Judge under Section 82 of the Registry Act, R.S.O. 1980 for an order to stop-up and close the unopened road allowance of Bedford Street from the Widened Limits of Rymal Road East to the north Limits of Bedford Avenue.
- (b) That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the road allowance to be closed.



- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court.
- (d) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owner(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
- (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners.

And provided the Judge's Order to close the highway is granted:

- (i) That the City Solicitor be directed to prepare a by-law for the sale of the closed highway to the abutting owners(s).
- (ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.

24. That leave be granted to introduce the following Bills:

- (a) **Bill B-45** A By-law respecting construction of local improvements of a concrete sidewalk on the south side of Barton Street from Kenora Avenue to Centennial Parkway.
- (b) **Bill B-46** A By-law to Incorporate Part 10, Plan 62R-9436 into Presidio Drive.
- (c) **Bill B-47** A By-law to Incorporate Parts 1 and 2, Plan 62R-11002 into Rexford Drive.
- (d) **Bill B-48** A By-law to Incorporate Block 30, Plan 62M-644 into Aca Drive.

- (e) Bill B-49 A By-law to Incorporate Parts 8 and 9, Plan 62R-6969 into Silverton Avenue.
- (f) Bill B-50 A By-law to Incorporate Parts 1, 2, 3, 4, 5, and 6, Plan 62R-4121 into Templemead Drive.
- (g) Bill B-51 A By-law to Incorporate Block 80, Plan 62M-616 into Emperor Avenue.
- (h) Bill B-52 A By-law to Incorporate Block 74, Plan 62M-633 and Parts 10 and 11, Plan 62R-10931 into Bastille St.
- (i) Bill B-53 A By-law to Incorporate Block "B", Plan M-180 into Ottaviano Drive.
- (j) Bill B-54 A By-law to Incorporate Block "A", Plan M-180 into Angelina Place.
- (k) Bill B-55 A By-law to Incorporate Block 44, Plan 62M-429 into Greenshire Drive
- (l) Bill B-56 A By-law to Incorporate Part 3, Plan 62R-9668 into Crerar Drive.
- (m) Bill B-57 A By-law to Incorporate Part 1, Plan 62R-11032 into Jackson Street.
- (n) Bill B-58 A By-law to Incorporate Part 2, Plan 62R-11032 into Ferguson Avenue.
- (o) Bill B-59 A By-law to Incorporate Part of Reserve in William Strong's Survey, on Registered Plan No. 300 into Fairholt Road.
- (p) Bill B-60 A By-law to Incorporate All of Block 82 and part of Block 81, Plan 62M-628 into Bastille Street.
- (q) Bill B-61 A By-law to Incorporate Block 81, Plan 62M-628 into Brigade Drive.
- (r) Bill B-62 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(s) Bill B-63 A By-law to Amend By-law No. 89-72 to Regulate  
Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

J. J. Schatz, Acting Secretary  
1990 April 30

SCHEDULE "A"

City Council Date: May 5, 1990

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
105 Canada Street	porch measuring 17' X 1'	Millar, Alexander, Isaacs, and Millar Suite 201 Stelco Tower 100 King Street West Hamilton, Ontario L8P 1A2	\$105/\$20	T103-50(785)
21 East Avenue South	depressed concrete driveway measuring 4.62 X 5.64 elevated concrete driveway measuring 4.62 m X 6.78 m two railway tie retaining walls measuring 1.01m high by approx. 2.4 m long	Wentworth Condominium Corporation #116 P.O. Box 6454, Stn "F" Hamilton, Ontario L9C 7C7	\$105/\$20	T103-50(344)
25 Douglas Street	front steps and stoop measuring 10' X .72'	Borkovich and Ingrassia One Main Street east Hamilton, Ontario L8N 1E7	\$105/20	T103-50(724)
470-472 MacNab Street North	front steps measuring 5' X 7' and 5' X 7.6'	John Beckett Q.C. 20 Jackson Street West Suite 500 Hamilton, Ontario L8P 1L2	\$105/20	T103-50(860)
1117 Cannon Street	portion of foundation of the house measuring 2.0' X 37.5'	Ross & Ross 143 James Street South Suite 700 Hamilton, Ontario L8P 3A1	\$105/20	T103-50(761)





Schedule 'B'

- Main Street West , Dundurn to Queen	\$70,000
- Main Street West, Queen to Bay	\$44,000
- Main Street West, Haddon to Paradise	\$35,000
- Upper Ottawa Street and Fennell Avenue Intersection	\$18,000
- Other small Projects - reconstruction	\$30,000
- Spot Improvements - requests	\$15,000
- Miscellaneous Projects - by HHES	\$50,000
- Concrete Pole Replacements	\$10,000
- Stone Church Road, at Pritchard	\$28,000
- King William Street, Catharine to Ferguson	\$15,000
- Rymal Road, Nebo to Upper Ottawa	\$12,000
- King Street, Nash to Owen Place	\$15,000
- Rice Avenue, Mohawk to Wendover	\$ 5,000
- Upper Horning, Golf Links to Amalfi	\$27,000
TOTAL	\$374,000

TS:rbo









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TENTH Report for 1990 and respectfully recommends:

1. (a) That the Hamilton White Eagles Soccer Club enter into a lease agreement with the Corporation of the City of Hamilton for the year 1990, for the use of Mohawk Sports Park, for dates and times listed as follows:

May 9	7:00 - 11:00 p.m.
May 12	7:00 - 11:00 p.m.
June 6	7:00 - 11:00 p.m.
June 11	7:00 - 11:00 p.m.
June 20	7:00 - 11:00 p.m.
June 30	7:00 - 11:00 p.m.
July 23	7:00 - 11:00 p.m.
August 26	7:00 - 11:00 p.m.

- (b) That the rental rate paid by the Hamilton White Eagles Soccer Club, during the term of the agreement be \$400 per game.
- (c) That the Hamilton White Eagles Soccer Club be required to provide at least two uniformed police officers at the first game, and that provision for same be reviewed, and that further requirements for police officers be determined by the Director of Culture and Recreation or his designate.
- (d) That the Hamilton White Eagles Soccer Club be required to submit a financial statement with respect to admissions, by a chartered accountant licensed to practice public accounting in Ontario.
- (e) That an agreement satisfactory to the City Solicitor be executed with respect to same.
- (f) That the Hamilton White Eagles be responsible for all clean up and labour related charges over and above the rental fee.

NOTE: The Hamilton White Eagles Soccer Club are an established new team and play soccer in the National Soccer League. The White Eagles possess \$5 million Public Liability Insurance through the National Soccer League. This will result in increased revenue in the amount of \$3 500 for the season.

2. That the Director of Culture and Recreation, on behalf of the City of Hamilton, authorize to co-sponsor Annual Canusa Games Golf Tournaments at the Chedoke, Beddoe Golf Course.
3. That permission be granted to Hamilton-Wentworth Creative Arts to sell alcoholic beverages in Dundurn Park pavilion on the occasion of the Earthsong Festival being held in Dundurn Park, 1990 June 29 to July 02 inclusive, subject to the following terms and conditions:
  - (a) That proof of \$2 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured.
  - (b) That the applicant assume responsibility for all labour related charges associated with the event, (set-up, dismantling, clean-up, etc.)
  - (c) That alcoholic beverages be served in the confined area of the pavilion (beer and wine only).
  - (d) That the applicant adhere to all regulations stipulated by the Liquor Licence Board of Ontario in the provision of alcoholic beverages.
  - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicants expense.

NOTE: Permission was granted by City Council at its meeting of 1990 April 10 to Hamilton-Wentworth Creative Arts to hold this event in Dundurn Park.

4. (a) That the application by the Hamilton Folk Arts Heritage Council to host "It's Your Festival" in Gage Park from Saturday, 1990 June 30 to Monday, 1990 July 02 inclusive, between the hours of 12:00 noon and 11:00 p.m. be approved subject to the following terms and conditions:
  - i. That \$2 million Comprehensive General Liability for Property Damage and Bodily Injury, naming the City as Co-Insured be provided.
  - ii. That the location of various booths and activities within the park be subject to the approval of the Parks Division in order to reduce damage and high maintenance costs.
  - iii. That the organizer assume "actual labour charges" associated with the event as reported by the Parks Division, subsequent to Parks Division representatives meeting with the organizers.

- iv. That the list of scheduled entertainment be forwarded to the Director of Culture and Recreation at least one (1) month prior to the event in order that:
    - same can be forwarded for review and approval by the Parks and Recreation Advisory Sub-Committee, and
    - discussions can take place with the Hamilton-Wentworth Regional Police for the provision of adequate police security, costs of same to be borne by the applicant.
  - v. That the bandshell rental of \$35 per day be applicable.
  - vi. That the organizers arrange for public announcements throughout the event advising the general that animals are prohibited in the park.
5. That the Chairman and a designate be authorized to attend the Canadian Parks and Recreation Association Conference in Thunder Bay on 1990 August 12-16.
6. That approval be given to install an additional bocce court at the Mountain Arena at an estimated cost of \$7 500; with the City's portion being \$4 500 and the balance paid through the fundraising efforts of the Community Bocce Club. The City's portion to be charged to City's Reserve for Parkland (5% Fund).

RESPECTFULLY SUBMITTED,

Lynn Dale,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1990 May 01









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TENTH Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for the following property:

(a) 279 Lake Avenue North.

NOTE: Demolition permit applications for properties at 150 and 152 Catharine Street South have been tabled, since they are of interest to L.A.C.A.C., with the understanding that these applications will be brought back to the Planning and Development Committee at its next meeting for consideration.

2. (a) That, the Commercial Improvement Programme Submission, attached herewith and marked Appendix "A", be approved at an estimated gross cost of one hundred and thirty-nine thousand, nine hundred and forty dollars (\$139,940.); and,

- (b) That, the Department of Community Development be authorized to implement the recommendations in (a) above.

NOTE: On 1987 January 19, City Council approved the Department of Community Development's Capital Budget Submission of five hundred thousand dollars (\$500,000.) per year for the next five (5) years for a total of two and a half million dollars (\$2,500,000.) for the Commercial Improvement Programme. There will be approximately six hundred and sixty-six thousand dollars (\$666,000.) unallocated if Appendix "A" is approved.

3. That in regard to Site Plan Control Application DA-89-64 by BYM Construction Ltd., owners of lands known as 985 Upper Ottawa Street and 5 Carson Drive for an addition to the existing commercial plaza, that the following be approved:

- (a) That the plans and drawings of Site Plan Control Application DA-89-64, be registered on title; and,

- (b) That the neighbourhood plan be amended to redesignate the subject lands from "Attached Housing" to "Commercial" as approved under Zoning Application ZA-87-60 to permit an expansion to the existing shopping plaza.



NOTE: Since the plans and drawings were submitted as exhibits at the Ontario Municipal Board Hearing held 1989 August 15, they should be registered on title to ensure that the development of the lands are consistent with the Board's decision and the approval of Site Plan Control Application DA-89-64.

4. That approval be given to City Initiative 90-A, M. and I. Bakai, applicants, for two By-laws to validate title under Section 56 of the Planning Act, for properties located at 203 and 205 Hess Street North, as shown on the attached map marked as Appendix "B", on the following basis:
  - (a) That the City Solicitor be directed to prepare By-laws pursuant to Section 56 of the Planning Act for presentation to City Council.
5. (a) That approval be given to Official Plan Amendment No.90 to establish a Special Policy Area to permit general office uses, and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
  - (b) That approval be given to amended Zoning Application 88-119, DiMarcantonio Industries Ltd. (S. Dimarcantonio, D. DiMarcantonio, and P. DiMarcantonio), owners, requesting a modification to the "JJ" (Restricted Light Industrial) District and "KK" (Restricted Heavy Industrial) District, to permit general office use within the existing building, for property located at 26 Arrowsmith Road, as shown on the attached map marked as Appendix "C", on the following basis:
    - (i) That the "JJ" (Restricted Light Industrial) District and "KK" (Restricted Heavy Industrial) District regulations as contained in Sections 16A and 17A of Zoning By-law of No. 6593, applicable to the subject lands, be modified to contain the following variance as a special provision:
      - (1.) That notwithstanding Sections 16A(1) and 17A(1) of Zoning By-law No. 6593, general offices shall be permitted within the existing building only;
    - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1175, and that the subject lands on Zoning District Map E-103 be notated S-1175;
    - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-103 for presentation to City Council;
    - (iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No.90 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of the By-law is to provide for a modification to the "JJ" (Restricted Light Industrial) District and "KK" (Restricted Heavy Industrial) District regulations for property located at 26 Arrowsmith Road.

The effect of the By-law is to permit, in addition to the existing manufacturing use, general office uses within the existing building.

6. That approval be given to amended Zoning Application 89-18, H.M. and A.K. Nyhof, owners, for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations, to permit a residential dwelling unit on the upper level and a sail making and repair shop including canvas work and the sale of marine hardware on the lower level within the existing building, for the property located at 469 Bay Street North, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 10(1), the following uses shall be permitted:
- (1.) Industrial Use only within the first floor of the existing building
- (a) A sail making and repair shop including canvas work; and,
- (2.) Commercial use only within the first floor of the existing building
- (a) A retail store for the sale of marine hardware.
- (3.) Accessory Use
- (a) One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m<sup>2</sup> non-illuminated or illuminated by non-flashing indirect or interior means only, located not less than 1.5 m from the nearest street line in connection with the commercial and industrial uses.
- (ii) That Section 18A(1)(a) shall not apply for the Class "A" dwelling unit on the second floor.

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1176, and that the subject lands on Zoning District Map W-2 be notated S-1176;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-2 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations, for the property located at 469 Bay Street North.

The effect of this By-law is to permit a sail making and repair shop including canvas work, and the sale of marine hardware on the lower level within the existing building.

In addition, the by-law permits one wall sign, ground sign or projecting sign not greater than 0.4 m<sup>2</sup> in area, non-illuminated or illuminated by interior means only and not closer than 1.5 m to the street line.

- 7. (a) That approval be given to Zoning Application 90-14, Mount Hamilton Christian Homes Inc., owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District modified to "DE" (Low Density Multiple Dwellings) District modified (Block "1") and for a further modification to the "DE" (Low Density Multiple Dwellings) District (Block "2"), to permit the construction of a 3 storey, 12 unit addition to the existing senior citizen's residence, and to permit the existing two-family dwelling and provide for 17 additional parking spaces, for properties located at 249 Stone Church Road East and 1415 Upper Wellington Street as shown on the attached map marked as Appendix "E", on the following basis:
  - (i) That the lands described as Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District modified to "DE" (Low Density Multiple Dwellings) District;
  - (ii) That the "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of Zoning By-law No. 6593 applicable to the lands described as Blocks "1" and "2" be modified to include the following variances as special requirements:

- (1.) That notwithstanding Section 10A(1) of By-law No. 6593, a two-family dwelling shall be permitted within the building existing at the date of passing of this by-law, municipally known as 249 Stone Church Road East;
  - (2.) That notwithstanding Section 10A(3)(iii) of By-law No. 6593, a rear yard of a depth of at least 5.0 m shall be provided and maintained for the building addition on Block "1";
  - (3.) That Section 4(3)(a) of By-law 6593 shall not apply;
  - (4.) That notwithstanding Section 18A, Table 1, 1.(g) of By-law No. 6593, a minimum of 73 parking spaces shall be provided and maintained;
  - (5.) That Section 18A(11) & (12) shall not apply to the most northerly lot line adjoining the parking area;
  - (6.) That notwithstanding Section 18A(25) of By-law No. 6593, the existing westerly access driveway on Stone Church Road East shall be permitted.
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-913a, and that the subject lands on Zoning District Map E-18C be notated S-913a;
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council;
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That By-law 83-165 be repealed.

**NOTE:** The purpose of this By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District modified (Block "1"), and for a further modification to the "DE" (Low Density Multiple Dwellings) District (Block "2"), for properties located at 249 Stone Church Road East and 1415 Upper Wellington Street.

The effect of the By-law is to permit the construction of a 3 storey, 12 unit addition to the existing senior citizens' residence (Blocks "1" & "2"), and to permit a two-family dwelling in the existing building on Block "1".



In addition, the by-law provides for the following variances as special requirements.

- (a) To permit a minimum rear yard of 5.0 to be provided and maintained for the building addition on Block "1" whereas a minimum rear yard of 7.5 m is required (Section 10A(3)(iii));
- (b) To permit two principal residential buildings on the lot (Section 4(3)(a));
- (c) To require a minimum of 73 parking spaces to be provided and maintained (Section 18A Table 1 1.(g));
- (d) To delete the requirement of a 1.5 m wide landscape planting strip along the most northerly lot line adjoining the parking area (Section 18A (11) & (12));
- (e) To permit the existing westerly access driveway on Stone Church Road East. (Section 18A(25)).

8. That approval be given to an amended Zoning Application 89-76, First Place Hamilton, owner, requesting a modification to the "E" (Multiple Dwellings, Lodges and Clubs, etc.) District, to permit the development of the subject lands for a six storey, 29 unit, non-profit senior citizen apartment building, for the property located at 206-210 Jackson Street East, as shown on the attached map marked as Appendix "F", on the following basis:

- (a) That the "E" (Multiple Dwellings, Lodges and Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 11.(1), a senior citizens multiple dwelling containing a maximum of 29 units shall be permitted;
  - (ii) For purposes of this by-law, a senior citizens multiple dwelling means a multiple dwelling in which all residents are at least 60 years of age or older;
  - (iii) That notwithstanding Section 11.(5), the floor area ratio shall not exceed 1.99.
  - (iv) That notwithstanding Section 18A.(1), Table 1, a minimum of 0.3 parking space for each Class "A" dwelling unit shall be required.

- (v) That notwithstanding Sections 18A.(1)(a) and (b), and 18A.(9), the required parking spaces shall be permitted to be located off-site on the property located at the north-east corner of Jackson Street East and Ferguson Avenue South.
- (vi) That sections 18A.(11) and (12) shall not apply to the loading space.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1177, and that the subject lands on Zoning District Map E-5 be notated S-1177;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That the approved Corktown Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to "High Density Apartments".
- (f) That the amending by-law not be passed by City Council until:
  - (i) The site plan has been approved by the Planning and Development Committee;
  - (ii) The applicant places a restrictive covenant on title to the satisfaction of the City's Solicitors Department respecting the shared parking arrangement; and,
  - (iii) The property be placed under the same ownership as the property located at the northeast corner of Jackson Street East and Ferguson Avenue South to the satisfaction to the City Solicitors Department.

NOTE: The purpose of the by-law is to provide for a modification to the "E" (Multiple Dwellings, Lodges, Clubs. etc.) District for the property located at 206-210 Jackson Street East.

The effect of the by-law is to permit the development of the subject lands for a six storey, 29 unit, non-profit senior citizens apartment building.

In addition, the by-law provides for the following variances:

- (a) To permit a maximum floor area ratio of 1.99 instead of the by-law requirement of 1.7;

- (b) To permit a minimum of 9 parking spaces instead of the required 24 spaces;
- (c) To allow the required parking spaces to be located on the lands located at the northeast corner of Jackson Street East and Ferguson Avenue South; and,
- (d) To exempt the required loading space from the setback and landscaping requirements.

9. That approval be given to an amended Zoning Application 87-130, First Place Hamilton, owner, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified (Block "1"), and a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2"), to permit the construction of a seven storey, 50 unit non-profit apartment building containing a day nursery for a maximum of 48 children on the ground floor, for the property located at the northeast corner of Jackson Street East and Ferguson Avenue South, as shown on the attached map marked as Appendix "G", on the following basis:

- (a) That Block "1" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements:
  - (i) A multiple dwelling containing a maximum of 50 units shall be permitted;
  - (ii) That notwithstanding Section 11.(1), a day nursery for not more than 48 children shall be permitted in conjunction with the multiple dwelling;
  - (iii) That notwithstanding Section 11.(3)(i)(b), a front yard depth of at least 6.5 m shall be provided and maintained;
  - (iv) That notwithstanding Section 11.(3)(ii)(b), a westerly side yard of width of at least 0.8 m shall be provided and maintained;
  - (v) That notwithstanding Section 11.(5), the floor area ratio shall not exceed 2.34.

- (vi) That notwithstanding Section 18A.(1)(a), a minimum of 65 parking spaces shall be provided and maintained;
- (vii) That notwithstanding Section 18A(7), a raised curb (wheelstop) shall be permitted;
- (viii) That Sections 18A(11) and (12) shall not apply to the loading space.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1178, and that the subject lands on Zoning District Map E-5 be notated S-1178;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
- (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That the approved Corktown Neighbourhood Plan be amended by redesignating the subject lands from "Commercial and Apartments" to "High Density Apartments".
- (g) That the amending by-law not be passed by City Council until:
  - (i) The site plan has been approved by the Planning and Development Committee;
  - (ii) The applicant place a restrictive covenant on title to the satisfaction of the City Solicitors Department respecting the shared parking arrangement;
  - (iii) The property be placed under the same ownership as the property located at 206-210 Jackson Street East to the satisfaction of the City Solicitors Department; and,
  - (iv) The applicant place a warning clause on title as per CN's letter to the satisfaction of the City Solicitors Department.

NOTE: The purpose of the by-law is to provide for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges and Clubs), modified District (Block "1") and a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2") for the property located at the north-east corner of Jackson Street East and Ferguson Avenue South.



The effect of the by-law is to permit the development of the subject lands for a 7 storey, 50 unit non-profit multiple dwelling containing a day nursery for a maximum of 48 children on the ground floor.

In addition, the by-law will provide for the following variances:

- (a) To permit a day nursery having a maximum of 48 children within the apartment building whereas only 25 children would be permitted;
- (b) To permit a maximum floor area ratio of 2.34 whereas the by-law permits 1.7;
- (c) To permit a minimum westerly side yard of 0.8 m whereas the Zoning By-law requires 4.36 m;
- (d) To permit a minimum front yard of 6.5 m whereas the Zoning By-law requires 11.84 m;
- (e) To require a minimum of 65 parking spaces on-site whereas 48 are required;
- (f) To permit raised curbs within the parking space; and,
- (g) To exempt the loading space from setback, landscaping and buffering requirements.

10. That approval be given to City Initiative 89-E to provide for amendments to Zoning By-law No. 6593 respecting the regulations for establishments selling/repairing firearms, on the following basis:

- (a) That the following definition of a gun shop be added to Section 2(2)D of Zoning By-law No. 6593:

"(iia) "Gun shop" shall mean any building or premises that:

- 1. includes the purchase or sale, making, repair, alteration, modification or taking in pawn of firearms; or,
- 2. involves the purchase or sale of ammunition."

- (b) That Section 14(1)(xiv) of Zoning By-law No. 6593 be amended by deleting the words "gunsmith's or" in the sixth line;
- (c) That Section 13A(1) of Zoning By-law No. 6593 be amended by adding the following subsection:

"(ixb) A gun shop;"

- (d) That Section 13B(1) of Zoning By-law No. 6593 be amended by adding the following subsection:

"(1) A gun shop;"

- (e) That Section 13D(1) of Zoning By-law No. 6593 be amended by adding the following subsection:

"(xvia) A gun shop;"

- (f) That Section 16(1) of Zoning By-law No. 6593 be amended by adding the following subsection:

"(iva) A gun shop;"

- (g) That Section 16A(1) of Zoning By-law No. 6593 be amended by adding the following subsection:

"(ek) A gun shop;"

- (h) That Sections 17C(1)(c), 17D(1)(c), 17E(1)(c), 17F(1)(c), 17G(1)(c) of Zoning By-law No. 6593 be amended by adding the following to Table 4:

Identification Number	Use Not Prohibited	"District				
		M11	M12	M13	M14	M15
N/A	Gun Shop	X	X	X	X	X"

- (i) That Section 18 of Zoning By-law No. 6593 be amended by adding a new subsection to the following effect:

"Special requirements for establishments selling/repairing firearms

- (12) Notwithstanding any provisions of this By-law, every gun shop shall comply with the following:

(a) Display

No window display of firearms shall be permitted.

(b) Location Requirement

A minimum radial separation distance of 300 m shall be provided from the lot line to the lot line of any school."

- (j) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (k) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for amendments to Zoning By-law No. 6593 to establish new regulations for establishments selling/repairing firearms.

The effect of the By-law is to establish a new definition of a gun shop as follows:

" Gun shop shall mean any building or premises that:

1. includes the purchase or sale, making, repair, alteration, modification or taking in pawn of firearms; or,
2. involves the purchase or sale of ammunition."

The By-law also permits gun shops in the following zoning districts only:

"G-1"	(Designed Shopping Centre) District
"G-2"	(Regional Shopping Centre) District
"G-4"	(Designed Neighbourhood Shopping Area) District
"J"	(Light and Limited Heavy Industry, etc.) District
"JJ"	(Restricted Light Industrial) District
"K"	(Heavy Industry, etc.) District
"KK"	(Restricted Heavy Industrial) District
"M-11"	(Prestige Industrial) District
"M-12"	(Prestige Industrial) District
"M-13"	(Prestige Industrial) District
"M-14"	(Prestige Industrial) District
"M-15"	(Prestige Industrial) District.

In addition, the By-law prohibits the window display of firearms and requires a minimum separation distance of 300 m (1,000 feet) between a gun shop and a school.

For the information of the members of City Council, the Planning and Development Committee have directed that the City Solicitor investigate and report back on possible methods which could be implemented by the City on control of the storage of gunpowder and ammunition.

11. (a) That approval be given to Official Plan Amendment No. 87 to modify Policy A.2.7.2 (Utilities) to clarify land use jurisdiction of lands designated "Utilities" in the Hamilton Harbour, and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth for approval.
- (b) That approval be given to City Initiative 90-B to provide for amendments to Zoning By-law No. 6593, as amended by By-law No. 83-239, respecting the proposed "F-3" (Marine Transportation Services) District and "F-4" (Waterfront Services) District, applicable to the lands known as Piers 25 to 27 and Piers 10 to 14, as shown on the attached map marked as Appendix "H", on the following basis:
- (i) That By-laws 83-258 and 84-179 be repealed in their entirety;
  - (ii) That Section 2 of By-law No. 83-239 be amended by deleting the portion beginning with Section 12C - "F-3" District and Section 12D - "F-4" District in their entirety, and substituting the attached Appendix "I" therefor;
  - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law 83-239, for presentation to City Council; and
  - (iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the proposed Official Plan amendment is to clarify the intent of the Official Plan respecting land use jurisdiction for those lands designated "Utilities" in the Hamilton Harbour.

The purpose of the proposed By-law amendments is to clarify the intent of the "F-3" (Marine Transportation Services) District and "F-4" (Waterfront Services) District, with respect to the jurisdiction of the Hamilton Harbour Commissioners for shipping and navigation matters.

12. That leave be granted to introduce the following Bills:

- (a) Bill D-49 A By-law to adopt Official Plan Amendment No. 88 respecting lands located on the west side of Anchor Road, south of Stone Church Road East, within the Hannon North Neighbourhood.
- (b) Bill D-50 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-laws No. 88-267 and 89-326 respecting lands located at Municipal Nos. 25 Redmond Drive and 549 Stone Church Road East.



- (c) Bill D-51 A By-law to establish Site Plan Control respecting lands located on the north and south sides of Main Street West between Highway No. 403 and Queen Street South.
- (d) Bill D-52 A By-law to amend Zoning By-law No. 89-34 and Zoning By-law No. 6593 respecting land located at Municipal No. 12 Ray Street South.
- (e) Bill D-53 A By-law to designate as a Heritage Conservation District the area comprised of the block bounded by MacNab Street South, Bold Street, Charles Street and Hurst Place.
- (f) Bill D-54 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 88-135 respecting lands located at Municipal Nos. 1489 to 1545 Upper James Street.
- (g) Bill D-55 A By-law respecting land located at Municipal No. 203 Hess Street North.
- (h) Bill D-56 A By-law respecting land located at Municipal No. 205 Hess Street North.
- (i) Bill D-57 A By-law to adopt Official Plan Amendment No. 87 respecting lands designated Utilities in the Hamilton Harbour including Piers 10 to 14 and Piers 25 to 27 inclusive.
- (j) Bill D-58 A By-law to amend Zoning By-law No. 6593 and to repeal By-laws No. 83-239, 83-258 and 84-179 respecting "F-2", "F-3" and "F-4" Districts.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

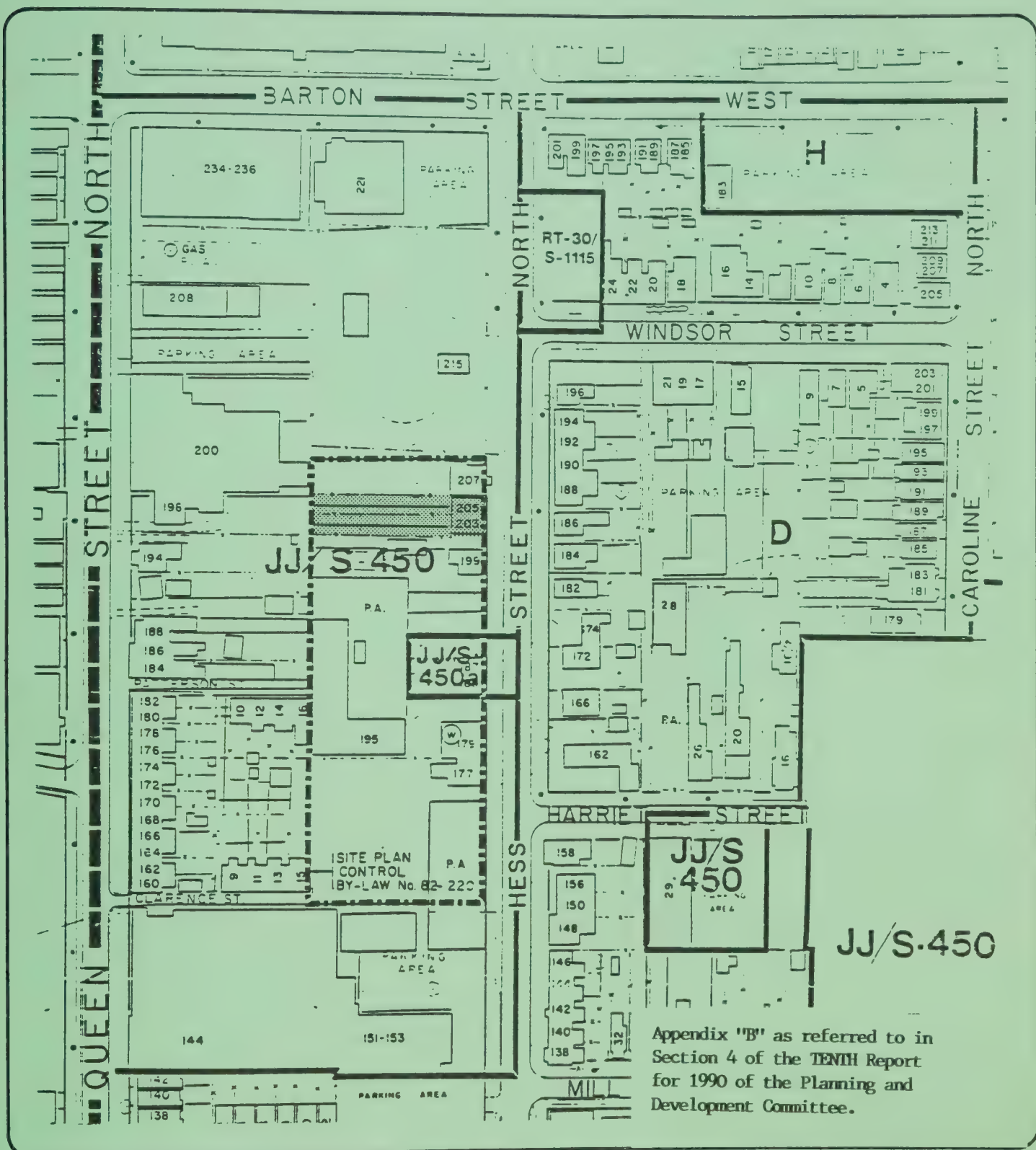
Susan K. Reeder  
Secretary  
1990 May 2

## COMMERCIAL IMPROVEMENT PROGRAMME 1990

<u>B.I.A.</u>	<u>ITEMS REQUESTED</u>	<u>COST</u>	<u>IMPLEMENTATION DATE</u>
<b>Concession Street</b>	-8 Bicycle Racks	\$ 3,000.	1991
	-2 Litter Containers and	800.	1990
	-1 year maintenance	760.	
<b>Downtown Promenade</b>	-Gazebo and	10,000.	1991
	-1 year maintenance	1,500.	
	-Gore Park Electrical Service Upgrade	14,000.	1991
	-Gore Park Lighting Upgrade	12,000.	1991
	-Streetsigns	7,500.	1991
<b>International Village</b>	-2 Litter Containers and	800.	1990
	-(1 year maintenance)	760.	
	-16 Planters	9,600.	1990-91
<b>Jamesville</b>	-Alleyway Lighting	3,400.	1990
<b>Ottawa Street</b>	-4 Concrete Benches	1,380.	1990
	-16 Large Planters	9,600.	1990
	-150 Plaques	5,000.	1990
	-Plaque installation	1,200.	1991
	-Secondary Lighting, switches & photocells	12,000.	1990
	-Tree, Conduit, Grate	1,000.	1990
<b>Westdale</b>	-10 Iron Wrought Benches and	6,600.	1990-91
	-1 year maintenance	900.	
	-3 Trees, Grates	3,000.	1990
	-4 Planters	2,400.	1990
	<b>SUB TOTAL</b>	<b>107,200.</b>	
	<b>20% CONTINGENCY</b>	<b>21,320.</b>	
	<b>10% ADMINISTRATION</b>	<b>10,660.</b>	
	<b>TOTAL:</b>	<b>139,940.</b>	
<b>Main Street West*</b>	-Streetscaping	375,000.	1990-91
	20% Contingency	75,000.	
	10% Administration	37,500.	
		<b>488,260.</b>	
<b>1990 Total</b>		<b>627,960.</b>	

\* Previously approved





Appendix "B" as referred to in  
Section 4 of the Tenth Report  
for 1990 of the Planning and  
Development Committee.

## CITY OF HAMILTON

### APPENDIX "A" LOCATION MAP

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

#### Legend



Location of Subject Lands

North



Scale  
NOT TO SCALE

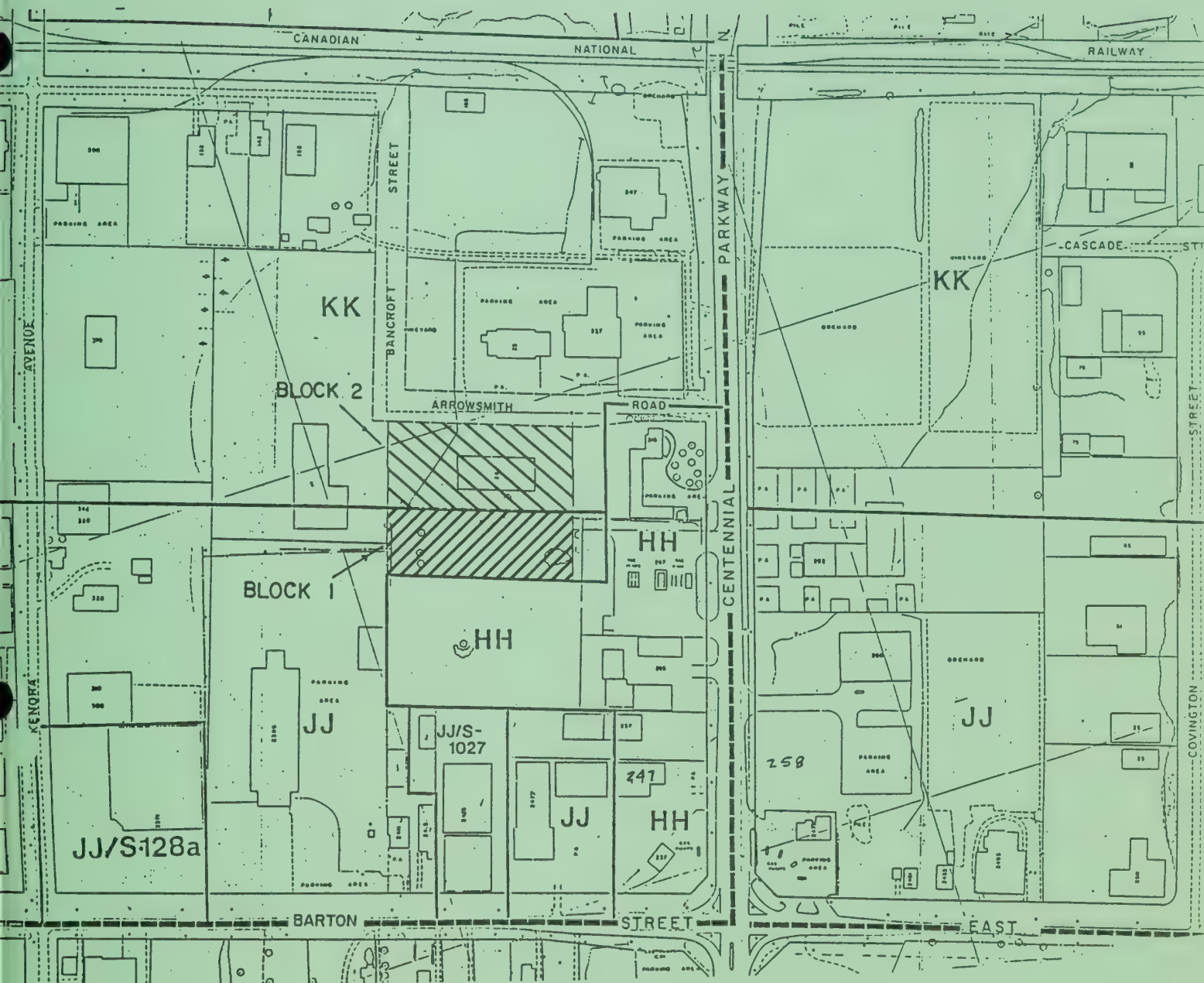
Date  
February, 1990

Reference File No.  
CI - 90 - A

Drawn By  
L.B.







Appendix "C" as referred to in  
Section 5 of the TENTH Report  
for 1990 of the Planning and  
Development Committee.

### LEGEND

#### PROPOSED MODIFICATION TO THE

BLOCK 1



"JJ" (RESTRICTED LIGHT INDUSTRIAL) DISTRICT REGULATIONS.

BLOCK 2

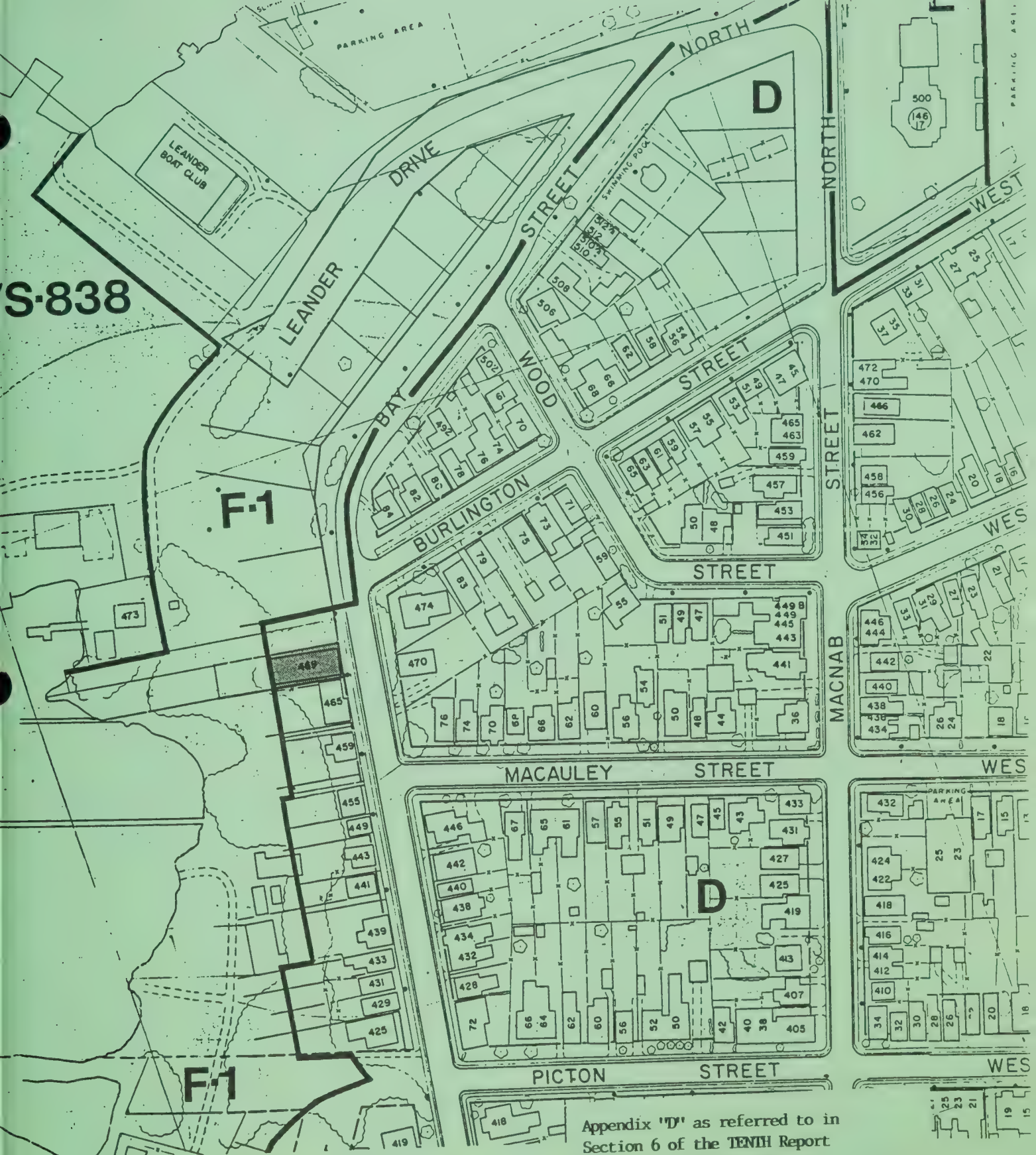


"KK" (RESTRICTED HEAVY INDUSTRIAL) DISTRICT REGULATIONS.



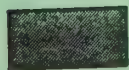


S-838



Appendix "D" as referred to in Section 6 of the Tenth Report for 1990 of the Planning and Development Committee.

Legend

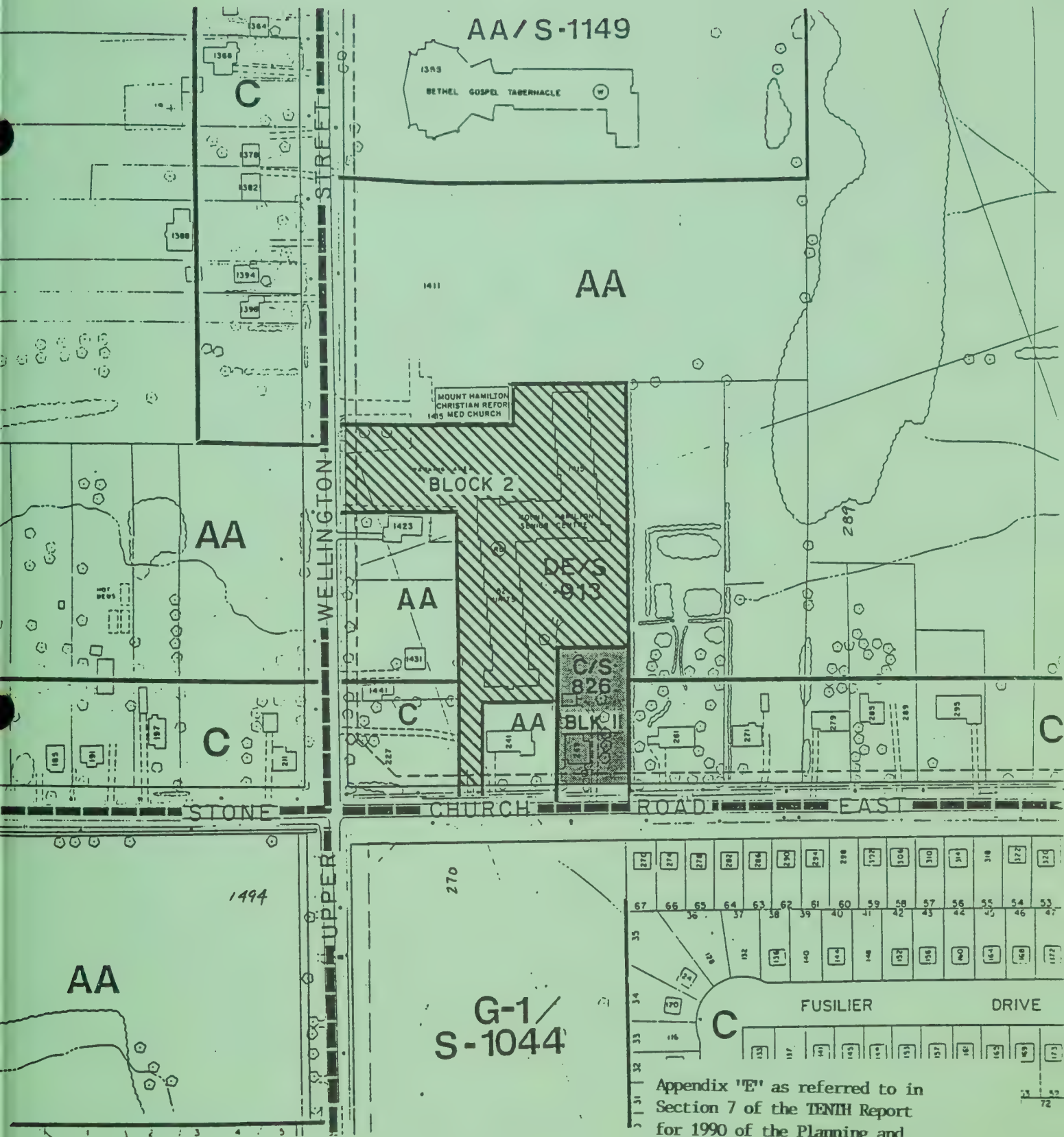


Site of the Application











### LEGEND

LANDS FOR WHICH THE FOLLOWING CHANGES ARE PROPOSED:

- BLOCK 1**  CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT, MODIFIED TO "DE" (MULTIPLE DWELLINGS) DISTRICT, MODIFIED.
- BLOCK 2**  FURTHER MODIFICATION TO THE "DE" (MULTIPLE DWELLINGS) DISTRICT.

Appendix "E" as referred to in Section 7 of the TENTH Report for 1990 of the Planning and Development Committee.







Appendix "F" as referred to in  
Section 8 of the TENH Report for  
1990 of the Planning and Development  
Committee.

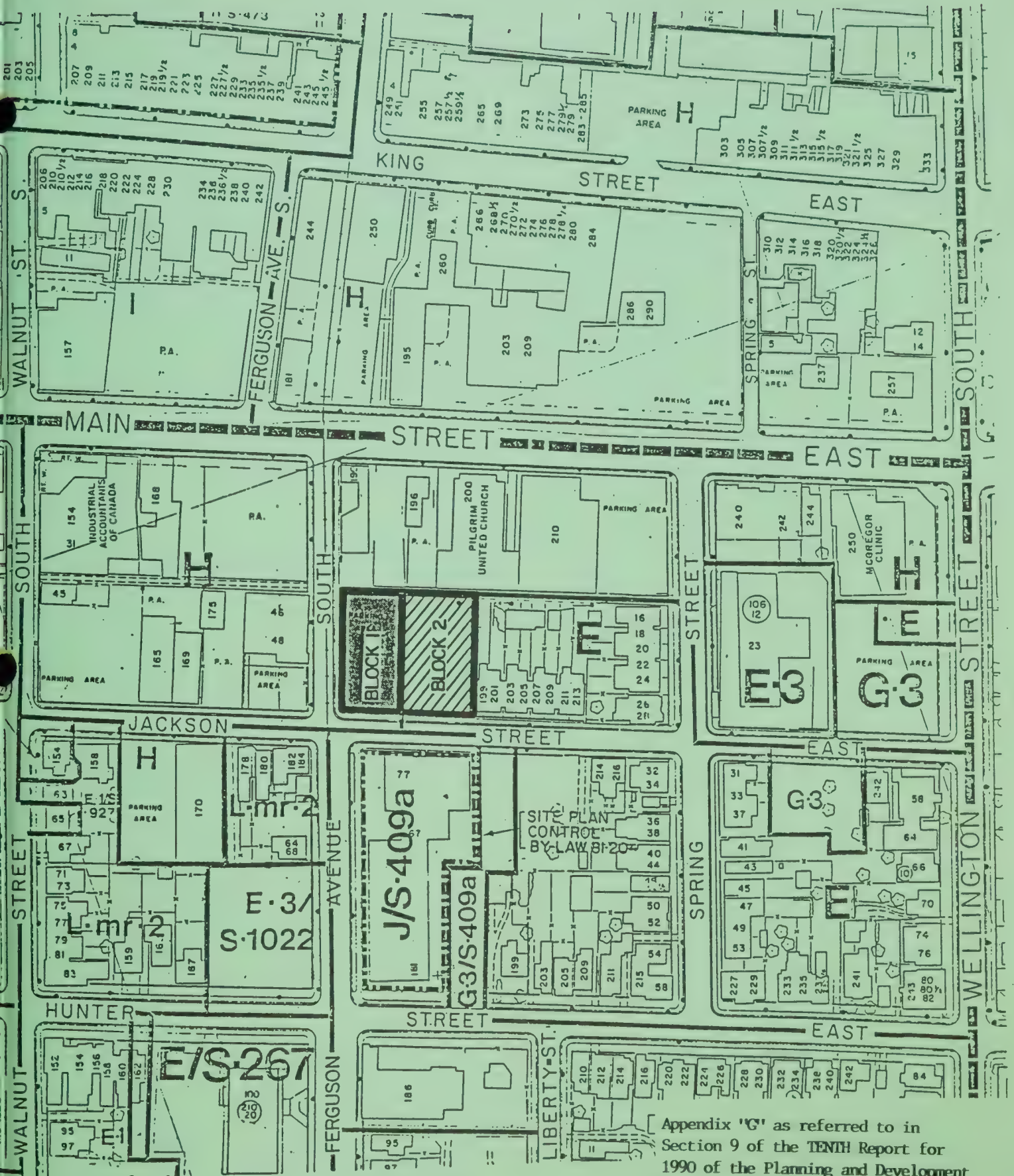
# Legend



Site of the Application







## LEGEND

**BLOCK 1**

Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified.

**BLOCK 2**

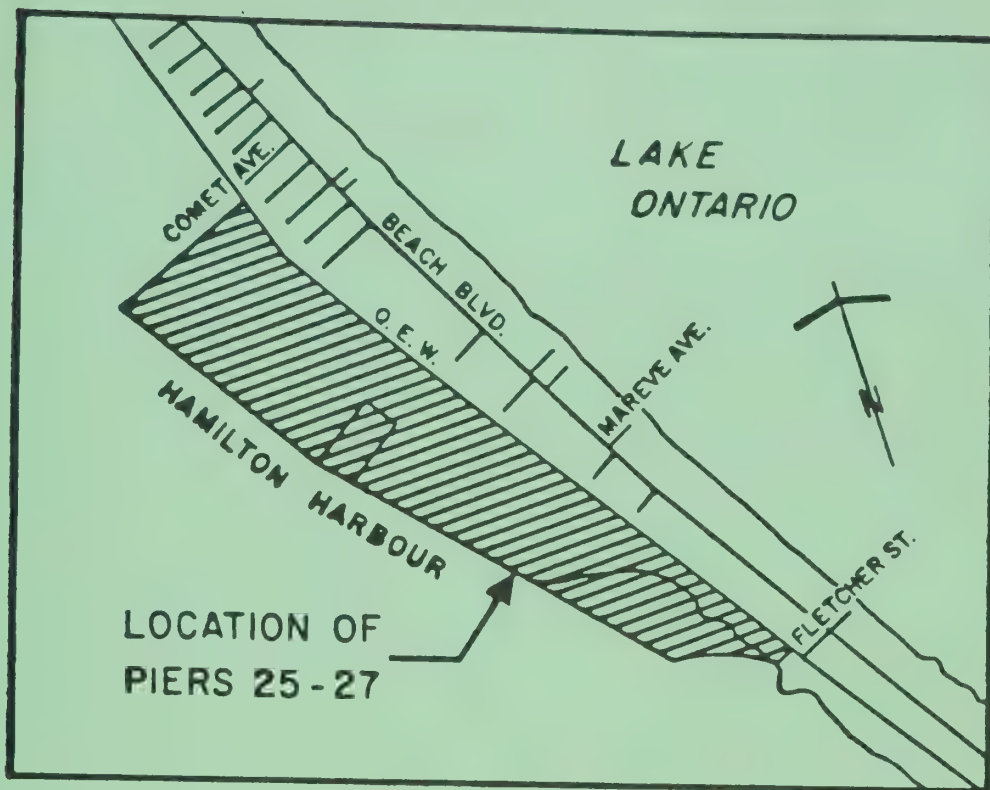
Modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.

Appendix "G" as referred to in Section 9 of the Tenth Report for 1990 of the Planning and Development Committee.

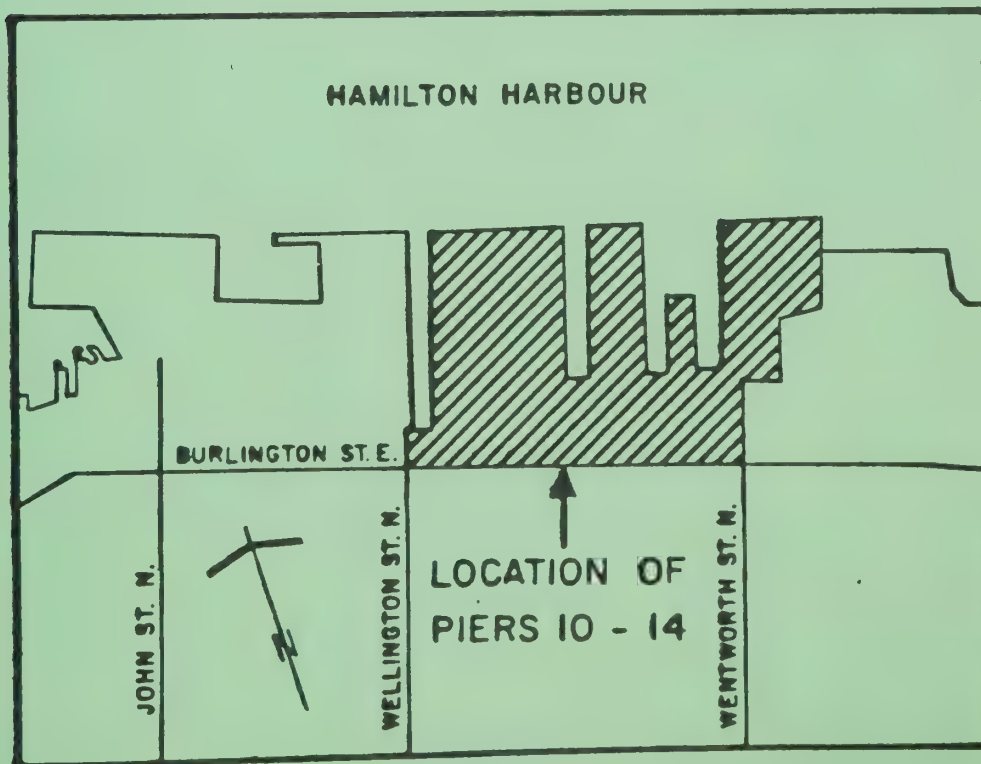
APPENDIX A

2487-130





Appendix "H" as referred to in  
Section 11 of the TENTH Report  
for 1990 of the Planning and  
Development Committee.







# SECTION 12C - "F-3" DISTRICT

(Harbour Use)

12C (1) Subject to the provisions of Sections 3, 18, 18A and 19, in an "F-3" District no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, for other than one or more of the following:

\* A. *Without purporting to limit the jurisdiction of the Parliament of Canada, the federal government, or the Hamilton Harbour Commissioners acting within the scope of their lawful jurisdiction in respect of shipping and navigation matters, shipping and navigation uses are permitted and include the following:*

## (a) PUBLIC USES

1. Offices of the Hamilton Harbour Commissioners.

## (b) COMMERCIAL USES

	S.I.C. Classification
*1. Shipbuilding and Repair Industry	3271
*2. Boatbuilding and Repair Industry	3281
3. Freight and Passenger Water Transport Industry	4541
4. Ferry Industry	4542
5. Marine Towing Industry	4543
6. Ship Chartering Industry	4544
*7. Other Water Transport Industries	4549
8. Marine Cargo Handling Industry	4551
9. Harbour and Port Operation Industry	4552
10. Marine Salvage Industry	4553
11. Piloting Service, Water Transport Industry	4554
*12. Marine Shipping Agencies Industry	4555
*13. Other Service Industries Incidental to Water Transport	4559

Appendix "I" as referred to in Section 11 of the TENTH Report for 1990 of the Planning and Development Committee.

\*(c) OTHER USES

Other bona fide shipping and navigation uses authorized by the Hamilton Harbour Commissioners Act or other valid federal legislation.

\*B. *In respect of buildings, structures or land not used for bona fide purposes of shipping and navigation under Part A, the following uses are also permitted:*

(a)	PUBLIC USES	S.I.C.
		<u>Classification</u>
1.	Labour Organizations	9841
(b)	COMMERCIAL USES	
1.	General Freight Trucking Industry	4561
*2.	Used Goods Moving and Storage Industry	4562
3.	Bulk Liquids Trucking Industry	4563
4.	Dry Bulk Materials Trucking Industry	4564
*5.	Forest Products Trucking Industry	4565
*6.	Other Truck Transport Industry	4569
7.	Freight Forwarding Industry	4592
*8.	Other Service Industries Incidental to Transportation, n.e.c.	4599
*9.	Grain Elevator Industry	4711
*10.	Refrigerated Warehousing Industry	4791
*11.	Other Storage and Warehousing Industries, n.e.c.	4799
12.	Other Products n.e.c., Wholesale limited to:	5999
	i) Ship Chandlers	
13.	Customs Broker	7794
14.	Restaurants, Licensed	9211
15.	Restaurants, Unlicensed	9212
16.	Take-Out Food Services	9213
17.	Caterers	9214
18.	Taverns, Bars and Night Clubs	9221

(c) INDUSTRIAL USES

- |    |                                                         |      |
|----|---------------------------------------------------------|------|
| 1. | Cereal Grain Flour Industry                             | 1051 |
| 2. | Prepared Flour Mixes and Prepared Cereal Foods Industry | 1052 |
| 3. | Feed Industry                                           | 1053 |

(d) ACCESSORY USES

1. Accessory buildings, structures or uses.
2. Business Identification Signs that are Ground Signs, Wall Signs or Roof Signs of an occupancy or use of the land on which the sign is situate.

- (2) Every PUBLIC, COMMERCIAL, INDUSTRIAL and ACCESSORY USE where not for the bona fide purposes of shipping and navigation, shall comply with the following:

(a) Height requirement:

1. No building or structure shall exceed 14.0 metres in height.

b) Area requirements:

1. There shall be provided and maintained upon the same lot or tract of land and within the F-3 District for every building or structure,
  - i) a front yard having a depth of not less than 6.0 metres;
  - ii) side yards having a width of not less than 10% of the greatest width of the lot to a maximum width of 6.0 metres, except where the lot is a corner lot, a flankage side yard having a width of not less than 6.0 metres;
  - iii) a rear yard having a depth of not less than 4.5 metres.

(c) Intensity of Use requirements:

1. Every lot or tract of land shall have,
  - i) a lot width of not less than 30.0 metres;
  - ii) a lot area of not less than 1,100.0 square metres.

(d) Lot Coverage requirement:

1. Lot coverage by all buildings and structures shall not exceed 60% of the lot area.



(e) Landscape requirements:

1. There shall be provided and maintained on the same lot or tract of land and within the "F-3" District,
  - i) a landscaped area in the required front yard having a depth of not less than 6.0 metres abutting the street line;
  - ii) where the lot or tract of land is a corner lot, a landscaped area in the entire required side yard abutting the street line;
  - iii) where the lot or tract of land abuts an "A" District, a landscaped area having a width or depth of not less than 7.5 metres along the full length of the lot line abutting the "A" District.

(f) Storage requirements:

1. No front yard shall be used for outside storage.
2. Every side yard or rear yard that is used for outside storage of any material or any equipment shall be completely screened from external view by a visual barrier not less than 1.5 metres in height and not more than 3.0 metres in height.
3. No part of a side yard or rear yard used for outside storage shall be situate less than 6.0 metres from an abutting street line or from the boundary of an abutting "A" District.

(3) Every sign referred to in subclause 2 of clause B.(d) shall comply with the following requirements:

1. No ground sign shall exceed 6.0 metres in vertical dimension.
2. No wall sign shall exceed 4.5 metres in vertical dimension.
3. No roof sign shall exceed 3.5 metres in vertical dimension.
4. The total aggregate area of all signs shall not exceed 0.5 square metres for every 0.5 metres of the frontage on which the lot abuts.

SECTION 12D - "F-4" DISTRICT

(Waterfront Services)

- 12D (1) Subject to the provisions of Sections 3, 18, 18A and 19, in an "F-4" District no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, for other than one or more of the following:

**\*A. Without purporting to limit the jurisdiction of the Parliament of Canada, the federal government, or the Hamilton Harbour Commissioners acting within the scope of their lawful jurisdiction in respect of shipping and navigation matters, shipping and navigation uses are permitted and include the following:**

(a) PUBLIC USES

1. Offices of the Hamilton Harbour Commissioners.

(b) COMMERCIAL USES

	S.I.C. Classification
*1. Shipbuilding and Repair Industry	3271
*2. Boatbuilding and Repair Industry	3281
3. Freight and Passenger Water Transport Industry	4541
4. Ferry Industry	4542
5. Marine Towing Industry	4543
6. Ship Chartering Industry	4544
*7. Other Water Transport Industries	4549
8. Marine Cargo Handling Industry	4551
9. Harbour and Port Operation Industry	4552
10. Marine Salvage Industry	4553
11. Piloting Service, Water Transport Industry	4554
*12. Marine Shipping Agencies Industry	4555
*13. Other Service Industries Incidental to Water Transport	4559

\*(c) OTHER USES

Other bona fide shipping and navigation uses authorized by the Hamilton Harbour Commissioners Act or other valid federal legislation.

\*B. *In respect of buildings, structures or land not used for bona fide purposes of shipping and navigation under Part A, the following uses are also permitted:*

(a)	PUBLIC USES	S.I.C. Classification
1.	Labour Organizations	9841
(b)	COMMERCIAL USES	
1.	General Freight Trucking Industry	4561
*2.	Used Goods Moving and Storage Industry	4562
3.	Bulk Liquids Trucking Industry	4563
4.	Dry Bulk Materials Trucking Industry	4564
*5.	Forest Products Trucking Industry	4565
*6.	Other Truck Transport Industry	4569
7.	Freight Forwarding Industry	4592
*8.	Other Service Industries Incidental to Transportation, n.e.c.	4599
*9.	Grain Elevator Industry	4711
*10.	Refrigerated Warehousing Industry	4791
*11.	Other Storage and Warehousing Industries, n.e.c.	4799
12.	Petroleum Products, Wholesale	5111
13.	Other Products n.e.c., Wholesale limited to:	5999
	i) Ship Chandlers	
14.	Customs Broker	7794
15.	Restaurants, Licensed	9211
16.	Restaurants, Unlicensed	9212
17.	Take-Out Food Services	9213
18.	Caterers	9214
19.	Taverns, Bars and Night Clubs	9221

(c) INDUSTRIAL USES

1.	Cereal Grain Flour Industry	1051
2.	Prepared Flour Mixes and Prepared Cereal Foods Industry	1052
3.	Feed Industry	1053
4.	Vegetable Oil Mills (Except Corn oil)	1061
5.	Cane and Beet Sugar Industry	1081
6.	Chewing Gum Industry	1082
7.	Sugar and Chocolate Confectionary Industry	1083
8.	Tea and Coffee Industry	1091
9.	Dry Pasta Products Industry	1092
10.	Potato Chip, Pretzel and Popcorn Industry	1093
11.	Malt and Malt Flour Industry	1094
12.	Other Food Products Industries, n.e.c.	1099
13.	Soft Drink Industry	1111
14.	Distillery Products Industry	1121
15.	Brewery Products Industry	1131
16.	Wine Industry	1141
17.	Hydraulic Cement Industry	3521
18.	Redi-mix Concrete Industry	3551
19.	Other Petroleum and Coal Products Industry	3699

(d) ACCESSORY USES

1. Accessory buildings, structures or uses.
2. Business Identification Signs that are Ground Signs, Wall Signs or Roof Signs of an occupancy or use of the land on which the sign is situate.

\*(e) EXISTING USES

Any use existing as of July 31, 1984, except RESIDENTIAL USES.



- (2) Every PUBLIC, COMMERCIAL, INDUSTRIAL and ACCESSORY USE where not for the bona fide purposes of shipping and navigation, shall comply with the following:
- (a) Height requirement:
    - 1. No building or structure shall exceed 37.0 metres in height.
  - b) Lot Coverage requirements:
    - 1. Subject to paragraph 2, lot coverage of all buildings and structures shall not exceed 85% of the lot area.
    - 2. Where a side lot line or rear lot line abuts a residential district, no building or structure shall be situated nearer to any such side lot line or rear lot line than 4.5 metres.
- (3) Every sign referred to in subclause 2 of clause B.(d) shall comply with the following requirements:
- 1. No ground sign shall exceed 6.0 metres in vertical dimension.
  - 2. No wall sign shall exceed 4.5 metres in vertical dimension.
  - 3. No roof sign shall exceed 3.5 metres in vertical dimension.
  - 4. The total aggregate area of all signs shall not exceed 0.5 square metres for every 0.5 metres of the frontage on which the lot abuts.





REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his SECOND Report for 1990 and respectfully recommends:

1. For the information of members of City Council, the following persons constitute the membership of the Mayor's Race Relations Committee for the duration of this Council's term of office:

Mayor Robert M. Morrow  
Co-Chairman

Professor Harish Jain  
Co-Chairman

Alderman Dominic Agostino  
Mrs. Evelyn Auchinvole  
Mr. Reynold Austin  
Mr. Smail Beckir  
Ms. Sharon Bonham  
Mr. Ivan Boyko  
Mr. Phillip Castrodale  
Mr. Tyrone Childs  
Mr. Walter Cooke  
Mr. Bill Delisser  
Mr. Carlton Glanville  
Ms. Doreen Johnson  
Rev. John Johnston  
Mr. Bashir Khan  
Mr. Phil Leon  
Mr. Phemon Ma  
Mr. Jesse John Malik  
Mr. Nuno Oliveira  
Mr. Leslie Pasis  
Mr. Santokh Singh Pooni  
Mrs. Helen Probert  
Mrs. Marjorie Ricketts  
Mr. Peter Shebib  
Mrs. Leonor Sorger  
Ms. Cathy Staats  
Mr. Ken Stone



Mr. Michael Sween  
Mr. Nirmal Takhar  
Ms. Marlene Thomas  
Mrs. Chai Chu Thompson  
Mrs. Bernadette Twal  
Mrs. Martha Wells  
Mr. Arthur Zemitis

2. For the information of members of City Council, the following persons serve as Staff/Resources for the Mayor's Race Relations Committee for the duration of this Council's term of office:

<u>City Hall and Region:</u>	Mr. Victor Abraham	- Planning
	Mr. Dennis Carson	- Mayor's Executive Asst.
	Mr. Alex Georgieff	- Planning
	Mr. Gary Ostofi	- Regional C.A.O.'s Office
	Mrs. Wendy Anderson	- Human Resources
	Mr. Bob Sugden	- Parks and Recreation

<u>Hamilton-Wentworth Regional Police:</u>	Inspector Tom Marlor
	Sergeant Jorge Lasso

<u>O.P.P.:</u>	Superintendent Spicer
	Attention: Constable Bill Lee

<u>R.C.M.P.:</u>	Inspector R.J. Watson
------------------	-----------------------

<u>Race Relations Directorate</u>	Mr. Saleem Yacoub
---------------------------------------	-------------------

<u>Hamilton Board of Education</u>	Mr. Lee Beach
----------------------------------------	---------------

<u>Hamilton Separate School Board</u>	Mr. Michael Webber
-------------------------------------------	--------------------

3. For the information of members of City Council, the following persons constitute the Executive Committee of the Mayor's Race Relations Committee for the duration of this Council's term of office:

Co-Chairmen:

Mayor Robert M. Morrow  
Professor Harish Jain

Members:

Mr. Jesse Malik  
Mr. Nirmal Takhar  
Mrs. Evelyn Auchinvole  
Mr. Peter Shebib  
Ms. Doreen Johnson

RESPECTFULLY SUBMITTED

Mayor Robert M. Morrow  
Co-Chairman  
Mayor's Race Relations Committee

Stella Glover  
Secretary

1990 April 27



NOTICE OF MOTION





NOTICES OF MOTION

Alderman Murray gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the Mayor's Race Relations Committee be restructured by reducing its membership to 12 members, and those citizens applying for membership would be subject to the same procedures that are in place to select other Committees or Boards reporting to Council. The Finance Committee would be responsible for holding interviews to select membership and that the new restructured Committee would report to the Finance and Administration Committee.



NOTICES OF MOTION

Alderman McCulloch gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the Council change the constitution of the Committee of Adjustment, to consist of members of Hamilton City Council, for a period of six months.





### NOTICES OF MOTION

Alderman Agro gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the H.E.C.F.I. Board be restructured as a nine (9) member Board, consisting of six (6) citizen members, the Mayor, and two (2) Aldermen and, further, that the H.E.C.F.I. Board select both the Chairman and Vice-Chairman of the Board, and that the new Board determine ways and means of giving each of the three (3) facilities more autonomy.



BY-LAW NO. 90 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 8th DAY OF MAY A.D., 1990.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1990

CITY CLERK

MAYOR

BY-LAW NO. 90-

To levy the Special Charges for 1990 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-Law 82-151

WHEREAS, pursuant to Section 217(10) of The Municipal Act, R.S.O. 1980, Chapter 302, the Board of Management for the Improvement Area has submitted Estimates for the year 1990;

AND WHEREAS, a Special Charge is to be levied to raise the sum equal to the total of the Estimates.

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1990 in the amount of \$199,980.00 are hereby approved.
2. In order to raise the said \$199,980.00 there is hereby levied a mill rate of 25.8643 as a Special Charge on the persons in the area assessed for business assessment, in accordance with By-law 82-152, as follows:
  - (1) The assessed value of all the real property in the Area used as the basis for computing business assessment, (known herein as "the Total Assessed Value") is \$8,629,991
  - (2) The assessed value of the real property that is used as the basis for computing the business assessment of City Parking Holdings Limited with respect to the hotel business known as "The Royal Connaught Hotel" at 82 King Street East is 592,212  
This is reduced by two-thirds 394,808  
to produce the Reduced Assessed Value of that business: \$197,404  
=====
  - (3) The assessed value of the real property that is used as the basis for computing the business assessment of Commonwealth Holiday Inn of Canada Limited with respect to the hotel business known as "The Holiday Inn" at 150 King Street East is 754,938  
This is reduced by two-thirds 503,292  
to produce the Reduced Assessed Value of that business: \$251,646  
=====
  - (4) "The Reduced Total Assessed Value" is  
\$8,629,991 - (394,808 + 503,292): \$7,731,891
  - (5) The Mill Rate for the Special Charge is calculated by:
    - (a) dividing the approved estimates of the Board of Management, \$199,980



(2)

(b) by the Reduced Total Assessed  
Value, \$7,731,891 and

(c) multiplying the result by 1,000: 25.8643

3. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this                      day of                      A.D. 19

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE JAMESVILLE BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS ON THE EAST AND WEST  
SIDES OF JAMES STREET NORTH BETWEEN THE RAILWAY TRACKS  
ON THE NORTH AND KING WILLIAM STREET ON THE SOUTH

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area,

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Item 5 of the Fourth Report of the Planning and Development Committee on February 13, 1990, approved the amount of \$35,450.00 for 1990 for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-74.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$35,450.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 85-198 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this                      day of                      A.D. 1990

City Clerk

Mayor

(3)

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. \$1,206,199.00
2. The Mill Rate for the special charge is calculated by: 29.3898
  - a) dividing the approved estimates of the Board of Management by
  - b) the total assessed value and
  - c) multiplying the result by 1,000
3. Approved estimate for 1990 \$35,450.00

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Authorize:

The Levy of a Special Charge

In Respect of:

**THE WESTDALE BUSINESS IMPROVEMENT AREA**

**GENERALLY COVERING KING STREET WEST BETWEEN THE AREA OF THE  
INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND EXTENDING  
TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET**

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Item 7 of the Fourth Report of the Planning and Development Committee on February 13, 1990 approved the amount of \$25,000.00 for 1990 for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-98.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.



(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$25,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-30 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this

day of

A.D. 1990

City Clerk

Mayor

(3)

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property  
in the area used as the basis for computing  
business assessment. \$627,000.00
2. The Mill Rate for the special charge is calculated  
by: 39.8663
  - a) dividing the approved estimates of the  
Board of Management by
  - b) the total assessed value and
  - c) multiplying the result by 1,000
3. Approved estimate for 1990 \$25,000.00

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Authorize:

The Levy of a Special Charge

In Respect of:

**BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA**

**GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST  
SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET**

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Item 7 of the Fourth Report of the Planning and Development Committee on February 13, 1990 approved the amount of \$6,000.00 for 1990 for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$6,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this                      day of                      A.D. 1990

City Clerk

Mayor

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property  
in the area used as the basis for computing  
business assessment. \$403,665.00
2. The Mill Rate for the special charge is calculated  
by: 14.8638
  - a) dividing the approved estimates of the  
Board of Management by
  - b) the total assessed value and
  - c) multiplying the result by 1,000
3. Approved estimate for 1990 \$6,000.00



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF KING STREET EAST BETWEEN  
MARY STREET AND WELLINGTON STREET NORTH

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Item 7 of the Fourth Report of the Planning and Development Committee on February 13, 1990, approved the amount of \$65,000.00 for 1990 for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-212.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$65,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 76-19 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this                      day of                      A.D. 1990

City Clerk

Mayor

(3)

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property  
in the area used as the basis for computing  
business assessment. \$1,195,536.00
2. The Mill Rate for the special charge is calculated  
by: 54.3689
  - a) dividing the approved estimates of the  
Board of Management by
  - b) the total assessed value and
  - c) multiplying the result by 1,000
3. Approved estimate for 1990 \$65,000.00

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Authorize:

The Levy of a Special Charge

In Respect of:

**THE CONCESSION STREET BUSINESS IMPROVEMENT AREA**

**GENERALLY COMPRISED OF LANDS COVERING CONCESSION STREET  
BETWEEN 18TH STREET AND EAST 25TH STREET**

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area,

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Item 3 of the Fourth Report of the Planning and Development Committee on February 13, 1990, approved the amount of \$26,060.00 for 1990 for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-144,

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act,

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$26,060.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 83-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this                      day of                      A.D. 1990

City Clerk

Mayor



(3)

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property  
in the area used as the basis for computing  
business assessment. \$715,822.00
2. The Mill Rate for the special charge is calculated  
by: 36.4057
  - a) dividing the approved estimates of the  
Board of Management by
  - b) the total assessed value and
  - c) multiplying the result by 1,000
3. Approved estimate for 1990 \$26,060.00

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Authorize:

The Levy of a Special Charge

In Respect of:

**THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA**

**GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET  
EAST AND EXTENDING TO AN AREA NORTH OF BARTON STREET EAST**

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area,

(17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Item 8 of the Fourth Report of the Planning and Development Committee on February 13, 1990, approved the amount of \$85,000.00 for 1990 for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-99.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 217(17) of The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$85,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-31 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this                      day of                      A.D. 1990

City Clerk

Mayor

(3)

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property  
in the area used as the basis for computing  
business assessment. \$1,485,331.00
2. The Mill Rate for the special charge is calculated  
by: 57.2263
  - a) dividing the approved estimates of the  
Board of Management by
  - b) the total assessed value and
  - c) multiplying the result by 1,000
3. Approved estimate for 1990 \$85,000.00

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90 -

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of a concrete sidewalk on the south side of Barton Street from Kenora Avenue to Centennial Parkway as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 23 of the 1st Report of the Finance and Administration Committee on January 30, 1990;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 7th day of March, 1990, issue Order No. E900186 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of \$64,000.00; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$64,000.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$64,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$30,622.40 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.



3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$64,000.00; and,
  - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this            day of            , A.D. 1990.

City Clerk

Mayor

(1990) 1 R.F.A.C. 23, January 30

SCHEDULE "A"

The construction of a CONCRETE SIDEWALK on the south side of Barton Street from Kenora Avenue to Centennial Parkway at the costs not exceeding those set out below:

City's Share	\$33,377.60
Owners' Share	<u>30,622.40</u>
TOTAL ESTIMATED COST	<u>\$64,000.00</u>

Estimated Cost per metre frontage	\$80.00
-----------------------------------	---------

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO..90-

TO INCORPORATE PART 10, PLAN 62R-9436  
INTO PRESIDIO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Presidio Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Presidio Drive.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 4 R.T.E.C. 3, March 13

SCHEDULE 'A'

Part of Lots 7 and 8, Concession 8,  
in the former Township of Barton  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
designated as Part 10 on Plan 62R-9436.

Bill No. B-47

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PARTS 1 AND 2, PLAN 62R-11002  
INTO REXFORD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Rexford Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Rexford Drive.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 5 R.T.E.C. 7, March 27



SCHEDULE 'A'

Part of Parcel 1 Reserves -1

Section 62M-200

Parts of Block "AX", Plan 62M-200

City of Hamilton

Regional Municipality of Hamilton-Wentworth  
designated as Parts 1 and 2 on Plan 62R-11002  
being part of the Parcel.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE BLOCK 30, PLAN 62M-644  
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Acadia Drive.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 4 R.T.E.C. 3, March 13

SCHEDULE 'A'

Part of Parcel Reserves -1

Section 62M-644

All of Block 30, Plan 62M-644

City of Hamilton

Regional Municipality of Hamilton-Wentworth  
being part of the Parcel.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PARTS 8 AND 9, PLAN 62R-6969  
INTO SILVERTON AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Silverton Avenue by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Silverton Avenue.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

SCHEDULE 'A'

Parts of Lot 5, Concession 8,  
in the former Township of Barton  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
designated as Parts 8 and 9 on Plan 62R-6969



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PARTS 1,2,3,4,5 AND 6, PLAN 62R-4121  
INTO TEMPLEMEAD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Templemead Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Templemead Drive.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 5 R.T.E.C. 7, March 27

SCHEDULE 'A'

Parts of Lot 5, Concession 8,  
in the former Township of Barton  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
designated as Parts 1,2,3,4,5 and 6 on Plan 62R-4121

Subject to an easement in favour of Bell Telephone  
Company of Canada as described in Instrument No.  
36851 Barton.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Block 80, Plan 62M-616  
into Emperor Avenue

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Emperor Avenue by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Emperor Avenue.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

Schedule 'A'

Parcel Reserve -1  
Section 62M-616

All of Block 80, Plan 62M-616

City of Hamilton

Regional Municipality of Hamilton-Wentworth  
being part of the Parcel.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Block 74, Plan 62M-633  
and Parts 10 and 11, Plan 62R-10931  
into Bastille Street

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Bastille Street by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Bastille Street.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.



Schedule 'A'

Firstly

Parcel Reserve -1  
Section 62M-633

All of Block 74, Plan 62M-633

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.

Secondly

Part of Lots 11 and 12, Concession 8, in the geographic Township of Barton, designated as Part 10, being part of said Lots 11 and 12 and Part 11, being part of said Lot 12, all on Plan 62R-10931.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Block 'B', Plan M-180  
into Ottaviano Drive

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Ottaviano Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Ottaviano Drive.

2. Schedule "A" attached hereto is included in and forms part of this By-law.

3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

Schedule 'A'

Parcel 1' Reserves-1  
Section M-180

All of Block B, Plan M-180

City of Hamilton

Regional Municipality of Hamilton-Wentworth  
being part of the Parcel.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Block 'A', Plan M-180  
into Angelina Place

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Angelina Place by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Angelina Place.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

Schedule 'A'

Parcel 1' Reserves-1  
Section M-180

All of Block A, Plan M-180

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Block 44, Plan 62M-429  
into Greenshire Drive

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Greenshire Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Greenshire Drive.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

Schedule 'A'

Parcel Reserve -2  
Section 62M-429

All of Block 44, Plan 62M-429

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being the whole Parcel.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Part 3, Plan 62R-9668  
into Crerar Drive

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Crerar Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Crerar Drive.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

Schedule 'A'

Part of Lot 11, Concession 7, in the geographic Township of Barton,  
designated as Part 3 on 62R-9668.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Part 1, Plan 62R-11032  
into Jackson Street

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Jackson Street by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Jackson Street.

2. Schedule "A" attached hereto is included in and forms part of this By-law.

3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor



Schedule 'A'

Part of Lot 7, Registered Plan 48, in the block bounded by Jackson, Walnut, Main Streets and Ferguson Avenue, designated as Part 1 on Plan 62R-11032.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Part 2, Plan 62R-11032  
into Ferguson Avenue

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Ferguson Avenue by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Ferguson Avenue.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

Schedule 'A'

Part of Lot 7, Registered Plan 48, in the block bounded by Jackson, Walnut, Main Streets and Ferguson Avenue, designated as Part 2 on Plan 62R-11032.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Bill No. B-59

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PART OF RESERVE IN WILLIAM STRONG'S SURVEY  
ON REGISTERED PLAN NO. 300 INTO FAIRHOLT ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Fairholt Road by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Fairholt Road.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 5 R.T.E.C. 7, March 27

SCHEDULE 'A'

Part of the Reserve in William Strong's Survey, registered on  
Plan Number 300

City of Hamilton

Regional Municipality of Hamilton-Wentworth, described as  
follows:

Commencing at the north-east angle of Lot 18 on the said  
Registered Plan;

Thence northerly in a straight line along the production  
northerly of the western limit of Fairholt Road (formerly Belview  
Avenue) 50.0' to the northern limit of said Reserve;

Thence easterly along the northern limit of the said Reserve  
50.50' to a point;

Thence southerly in a straight line 50.0' to the northwest angle  
of Lot 17 on the said Registered Plan;

Thence westerly along the southern limit of the said Reserve  
50.50' to the point of commencement;

Same as in Instrument No. 136017 Ham.



Bill No. B-60

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE ALL OF BLOCK 82 AND PART OF BLOCK 81, PLAN 62M-628  
INTO BASTILLE STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Bastille Street by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Bastille Street.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1989) 8 R.T.E.C. 3(g)(i) and (ii), April 11

SCHEDULE 'A'

Parcel Reserve -1  
Section 62M-628

All of Block 82, and the southerly eighty-four point zero one one metres (84.011m) of Block 81, Plan 62M-628

City of Hamilton

Regional Municipality of Hamilton-Wentworth  
being part of the Parcel.

Bill No. B-61

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE BLOCK 81, PLAN 62M-628  
INTO BRIGADE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Brigade Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Brigade Drive.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1989) 8 R.T.E.C. 3(g)(i), April 11

SCHEDULE 'A'

Parcel Reserve -1  
Section 62M-628

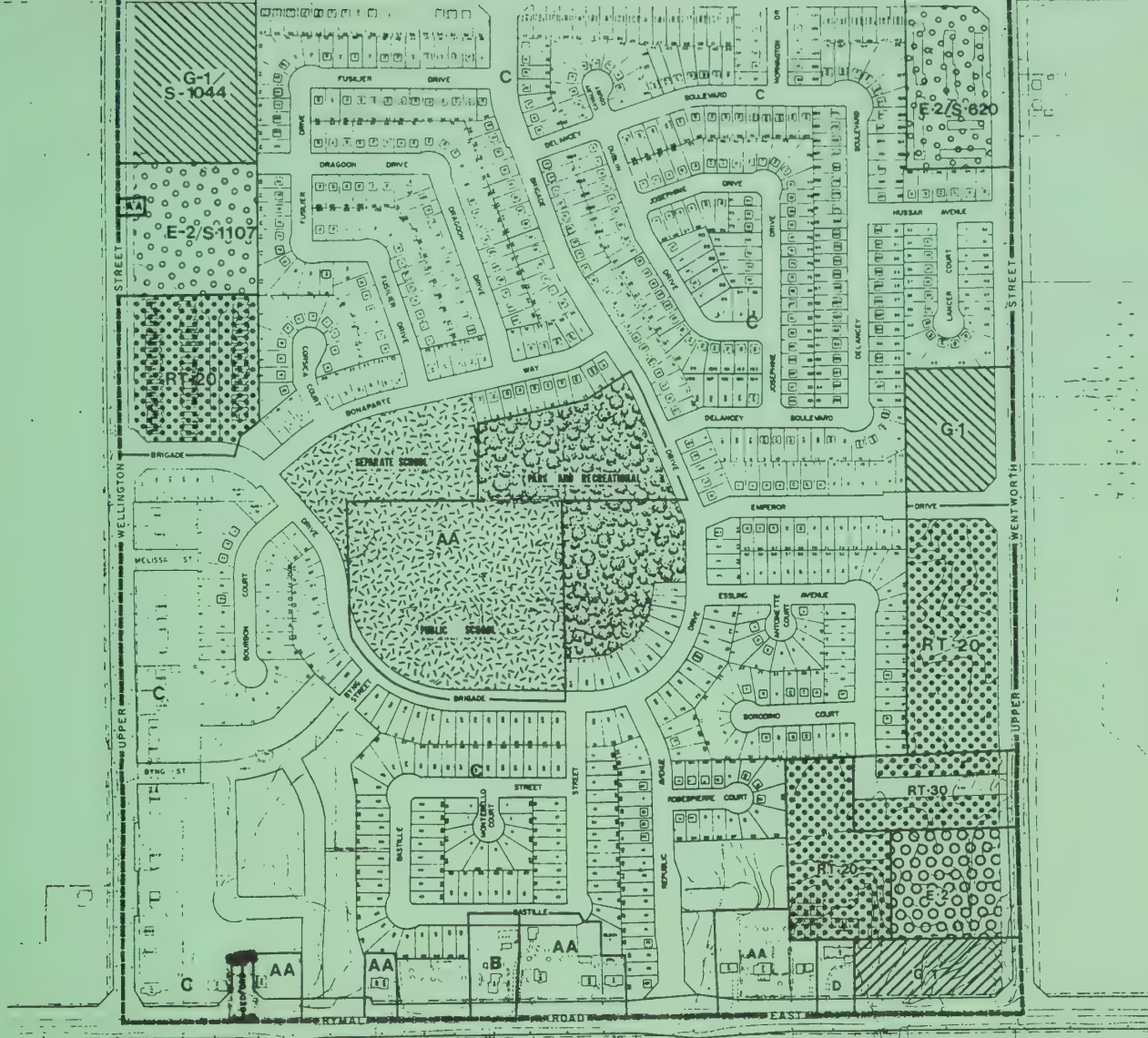
All of Block 81, Plan 62M-628, save and excepting the southerly eighty-four point zero one one metres (84.011m) of said Block 81, Plan 62M-628.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.





NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

### LAND USE

- RESIDENTIAL**
- single & double attached housing
  - low density apartments
  - medium density apartments
  - high density apartments
  - commercial & apartments

- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

EXISTING POPULATION (1988) 1102

- Neighbourhood Boundary
- Zoning Boundary

Approved  
Planning Committee APRIL 12, 1978 Council MAY 9, 1978  
Latest Revision Date JANUARY 10, 1980

CITY OF HAMILTON  
PLANNING DEPARTMENT

BARNSTOWN  
APPROVED PLAN



8



## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 25 (Parking Time Limits) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"Crockett	Both	East 31st to East 32nd".
-----------	------	--------------------------

and by adding to Section 8 (Two Hour Limit) the following item, namely:-

"Hess	East	from a point 109 feet south of Jackson to a point 90 feet southerly therefrom".
-------	------	---------------------------------------------------------------------------------

2. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 8 (Two Hour Limit) the following item, namely:-

"Jackson	South	Ray to Pearl".
----------	-------	----------------

3. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following item, namely:-

"Inverness	North	Upper Wellington to East 11th".
------------	-------	---------------------------------

and by adding thereto the following items, namely:-

"Niagara	West	from a point 103 feet north of the C.N.R. Tracks to a point 24 feet northerly therefrom
Fraser	West	Argyle to Campbell
Frid	West	Chatham to 169 feet north".

4. Schedule 27 (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Fraser Avenue	East	West".
Edinburgh Avenue to Barton Street East		

and by adding thereto the following items, namely:-

"Fraser Avenue	East	West
Edinburgh Avenue to Campbell Avenue		
Fraser Avenue	East	West".
Argyle Avenue to Barton Street East		

5. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following items, namely:-

"Mulberry	South	commencing at a point 63 feet Anytime east of Bay to a point 65 feet easterly therefrom
Crestwood	South	commencing at a point 77 feet Anytime". east of David to a point 20 feet easterly therefrom

and by deleting therefrom the following item, namely:-

"Crestwood                      South                      commencing at a point 25 ft    Anytime".  
east of David to a point  
20 ft. easterly therefrom

PASSED THIS                      DAY OF                      , A.D. 19    .

---

CITY CLERK

---

MAYOR

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Cline Northbound and Southbound Paul".

2. Schedule 29 (No Stopping Areas) is hereby amended by adding thereto the following items, namely:-

"Inverness	North	Upper Wellington to East 11th	Anytime
Inverness	South	Upper Wellington to a point 30 feet west of the west curb line of East 11th	Anytime
Crockett	North	East 34th to 69 feet east	Anytime
Crockett	South	East 34th to 47 feet west	Anytime
Crockett	North	East 34th to 28 feet west	Anytime".

and by deleting therefrom the following item, namely:-

"Crockett North East 34th to 50 feet west Anytime".

3. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following items, namely:-

"Maplewood	North	92 feet	commencing at a point 58 feet west of Springer	7:00am-6:00pm Monday to Saturday
Edwina	West	120 feet	commencing at a point 92 feet south of Berko	7:00am-6:00pm Monday to Saturday".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Adopt:

Official Plan Amendment No. 88

Respecting:

LANDS LOCATED ON THE WEST SIDE OF ANCHOR ROAD,  
SOUTH OF STONE CHURCH ROAD EAST,  
WITHIN THE HANNON NORTH NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 88 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 9 R.P.D.C. 14(a), April 24  
M. Mercanti, Owner  
ZA-90-15

**AMENDMENT NO. 88**  
**TO THE**  
**CITY OF HAMILTON OFFICIAL PLAN**

The following text, together with Schedule "B", attached hereto, constitutes Official Plan Amendment No. 88 .

Purpose

The purpose of this Amendment is to establish a "Special Policy Area" to permit limited commercial uses within the "Industrial" designation, for the subject lands.

Location

The lands affected by this Amendment are located on the west side of Anchor Road, south of Stone Church Road East, within the Hannon North neighbourhood.

Basis

The basis for permitting the proposal, a wedding centre, is as follows:

- 1) it is not out of character with the mix of established uses in the area;
- 2) it would not undermine the establishment of future industrial uses in the area;
- 3) the proposed uses would have less of an impact on the abutting open space than some of the other industrial uses permitted "as-of-right"; and,
- 4) the hotel component could serve other industries in the area.

Actual Changes

1. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.45:

"In addition to the permitted uses set out in Subsection A.2.3 - Industrial Uses and Policy A.2.9.3.9, for those lands shown as Schedule "B" as SPECIAL POLICY AREA 50, and located on the west side of Anchor Road, south of Stone Church Road East, limited commercial uses associated with a wedding centre will be permitted."

2. The following be added to Schedule "B" - Special Policy Areas:

- o Special Policy Area 50; and,
- o "Area 50 refer to Policy A.2.9.3.45" in the legend, as shown on the attached Schedule "B" of this Amendment.



Implementation

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule 1 to By-law No. 90-\_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 1990.

The Corporation of the

City of Hamilton

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

K.E.:ns

A:\OPAFORM.LET

# schedule B amendment no. 88

to the  
official plan  
for the  
city of hamilton

date  
April, 1990

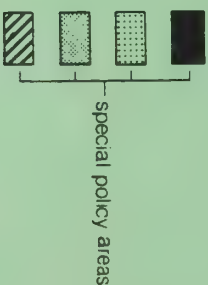
drawn by  
L B

reference file no  
6-2-88

## LEGEND

Special Policy Area 50  
refer to policy A 29.3.45

## legend



0 500 1000 2000  
Scale in meters

# special policy areas

AREA	REFER TO SUBSECTION
1(a)	A29.1
1(b)	A29.1
2	A29.2
3	A29.3
4	A29.3.1
5	A29.3.2
6	A29.3.3
7	A29.3.4
8	A29.3.5
9	A29.3.6
10	A29.3.7
11	A29.3.8
12	A29.3.9
13	A29.3.10
14	A29.3.11
15	A29.3.12
16	A29.3.13
17	A29.3.14
18	A29.3.15
19	A29.3.16
20	A29.3.17
21	A29.3.18
22	A29.3.19
23	A29.3.20
24	A29.3.21
25	A29.3.22
26	A29.3.23
27	A29.3.24
28	A29.3.25
29	A29.3.26
30	A29.3.27
31	A29.3.28
31(a)	A29.3.29
31(b)	A29.3.30
31(c)	A29.3.31
32	A29.3.32
33	A29.3.33
34	A29.3.34
35	A29.3.35
36	A29.3.36
37	A29.3.37
38	A29.3.38
39	A29.3.39
40	A29.3.40
41	A29.3.41
42	A29.3.42
43	A29.3.43
44	A29.3.44
45	A29.3.45
46	A29.3.46

Refer to Schedule B - 1 for Special Policy Areas in the Downtown

schedule B  
to the official plan  
for  
the city of hamilton

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

and

To Repeal Zoning By-laws No. 88-267 and 89-326

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 25 REDMOND DRIVE  
AND 549 STONE CHURCH ROAD EAST

**WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 88-267 on the 8th day of November 1988 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 for the "G-4" District provisions, in respect of the lands located on the north side of Stone Church Road East, between Upper Sherman Avenue and Upper Wentworth Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 89-326 on the 14th day of November 1989 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 for the "G-4" District provisions, in respect of the land located at Municipal No. 549 Stone Church Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 13 of the 6th Report of the Planning and Development Committee at its meeting held on the 13th day of March 1990, directed that By-law No. 88-267 and By-law No. 89-326 be repealed in their entirety and that Zoning By-law No. 6593 be amended to change the zoning and establish new special requirements under Section 19B of Zoning by-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 88-267 and By-law No. 89-326 are hereby repealed in their entirety.

2. Sheet No. E-27C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "G-4" (Designed Neighbourhood Shopping Area) District, the land comprised in Block 1, and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "G-4" (Designed Neighbourhood Shopping Area) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

3. The "G-4" (Designed Neighbourhood Shopping Area) District provisions, as contained in Section 13D of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 13D(1)B of By-law No. 6593, the following additional commercial uses shall be permitted:
  - 1. video store;
  - 2. gift shop;
- (b) notwithstanding Section 13D(1)B of By-law No. 6593, the following commercial uses shall be prohibited:
  - 1. restaurant or refreshment room without any dancing or other entertainment including music;
  - 2. outdoor patio;
- (c) notwithstanding clause (b), the following commercial use shall be permitted within the existing building located at 549 Stone Church Road East, shown as Block 1 on Schedule "A" hereto annexed,
  - 1. a restaurant excluding a refreshment room without any dancing or other entertainment except music;
- (d) notwithstanding Section 13D(4)(iii) of By-law No. 6593, an easterly yard of 2.35 m for the existing building located at 549 Stone Church Road East shall be provided and maintained;
- (e) Section 13D(5) of By-law No. 6593 shall not apply.



4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-4" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1166.

6. Sheet No. E-27C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1166.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

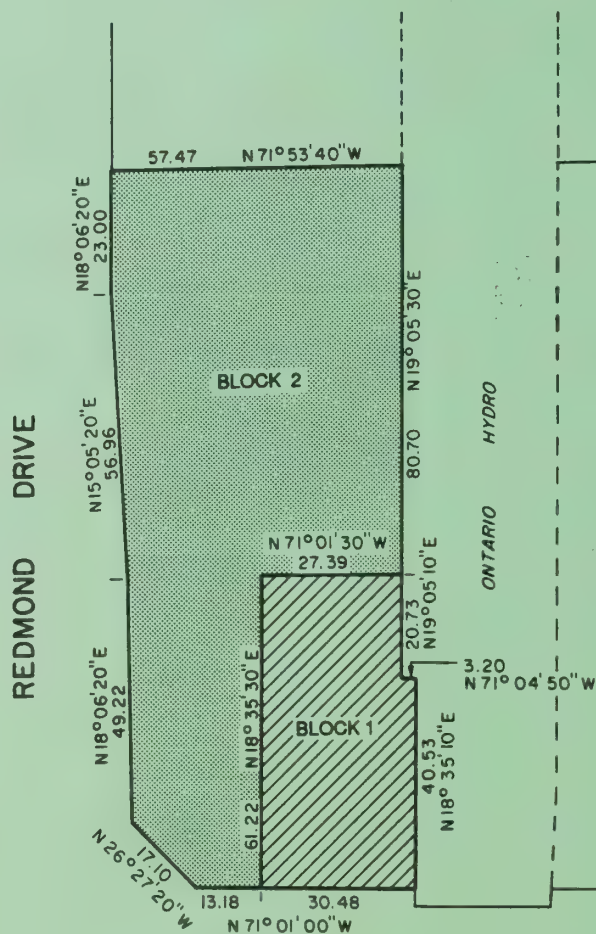
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 6 R.P.D.C. 13, March 13  
Hamilton General Homes (1971) Ltd., Owner  
ZA-89-134





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....  
 Passed the ..... day of ....., 1990.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
 By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

### Legend

- Change in zoning from:
- BLOCK 1** (Hatched) "AA" (Agricultural) District to "G-4" (Designed Neighbourhood Shopping Area) District, modified.
  - BLOCK 2** (Stippled) "C" (Urban Protected Residential, etc.) District to "G-4" (Designed Neighbourhood Shopping Area) District, modified.

North



Scale  
 NOT TO SCALE

Reference File No.  
 ZA 89-134

Date  
 March, 1990

Drawn By  
 L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED ON THE NORTH AND SOUTH SIDES OF MAIN STREET WEST  
BETWEEN HIGHWAY NO. 403 AND QUEEN STREET SOUTH

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

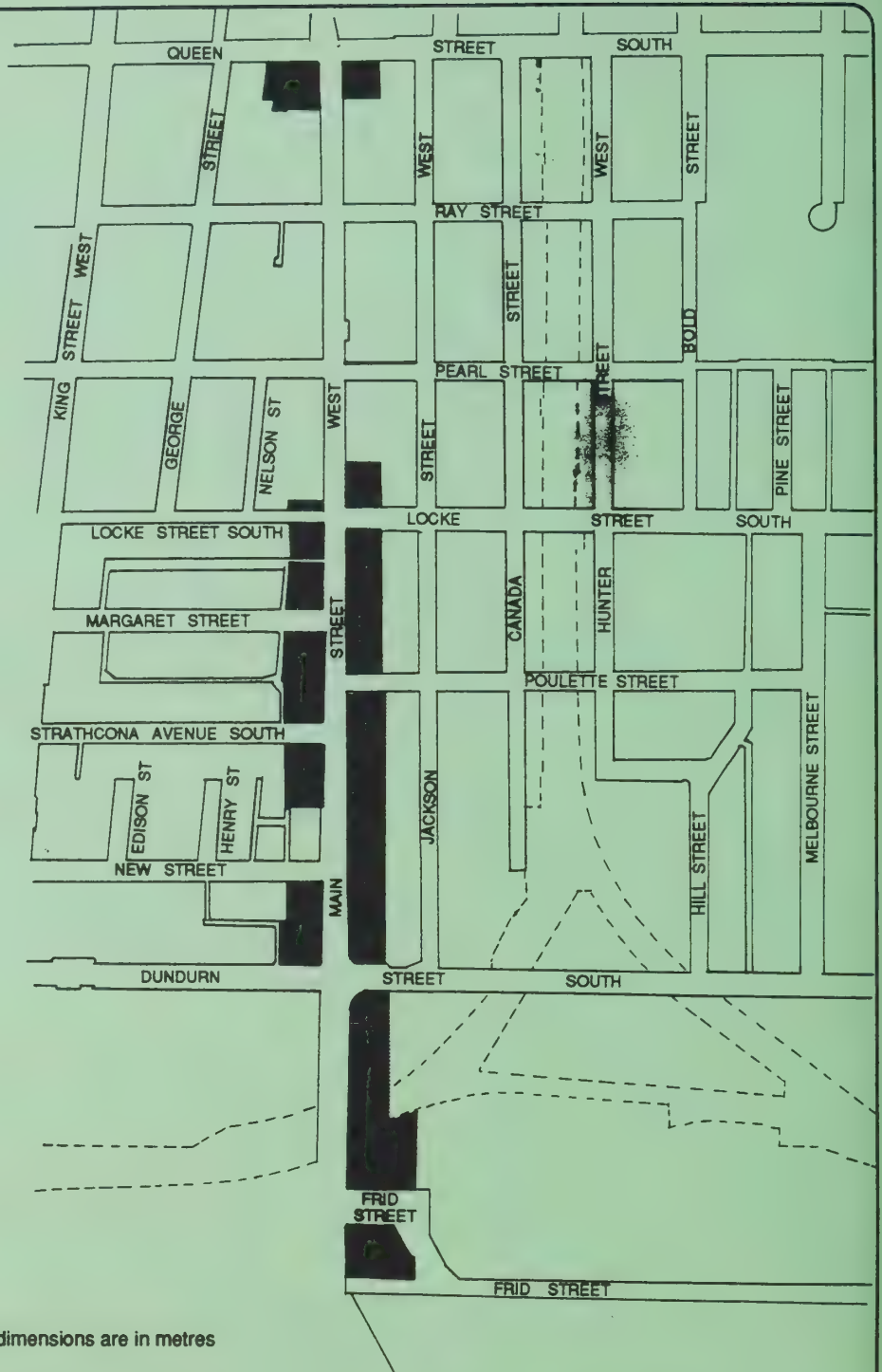
125. Lands located on the north and south sides of Main Street West between Highway No. 403 and Queen Street South, shown on Appendix 125 hereto annexed and forming part of this by-law.

2. Appendix 125 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule A to By-Law No. 90- .....  
 Passed the ..... day of ....., 1990.

.....  
 Clerk

.....  
 Mayor

City of Hamilton  
**Appendix 125**  
 to By-Law No.79-275

as Amended by  
 By-Law No.87-223

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend



Lands Designated Under this By-Law  
 as an area of Site Plan Control pursuant  
 to Section 40 of the Planning Act.



North

Scale  
 NOT TO SCALE

Reference File No.

Date  
 January, 1990

Drawn By  
 W.B.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 89-34

and

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 12 RAY STREET SOUTH

WHEREAS By-law No. 89-34, passed by the Council of The Corporation of the City of Hamilton on the 10th day of January 1989, rezoned the above-captioned lands from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1"-H' (Multiple Dwellings, Lodges, Clubs, etc.- Holding) District and established a special requirement with respect to the said land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS section 2(a) of By-law No. 87-118 provides that upon completion of such on-site parking facilities as the City deems adequate, the 'H' symbol shall be removed by amendment to By-law No. 89-34;

AND WHEREAS this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Section 15 of the 9th Report of the Planning and Development Committee at its meeting held on the 24th day of April 1990, directed the City Solicitor to prepare the necessary by-law to remove the 'H' symbol in respect of the above lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 89-34, passed on the 10th day of January 1989, to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 89-34 and forming part thereof, is hereby removed, and the development of the land may proceed in accordance with the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, subject to the special requirement referred to in section 3 of By-law No. 89-34.

2. Sheet No. W-12 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 89-34, is further amended by changing from "E-1"-H' (Multiple Dwellings, Lodges, Clubs, etc.- Holding) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District the land, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 89-34 and forming part thereof.



3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirement referred to in section 3 of By-law No. 89-34.

4. By-law No. 6593, as amended by By-law No. 89-34, passed on the 10th day of January 1989, is further amended by adding this by-law to Section 19B as Schedule S-1090a.

5. Sheet No. W-12 of the District Maps, as amended by By-law No. 89-34, passed on the 10th day of January 1989, is further amended by marking the land referred to in section 2 of this by-law, S-1090a.

PASSED this

day of

A.D. 1990.

City Clerk

Mayor

(1990) 9 R.P.D.C. 15, April 24  
Regina Pirro, Owner  
ZA-90-30





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....  
 Passed the ..... day of ..... , 1990.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

Schedule A

Map Forming Part of  
 By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend



Lands to be regulated by  
 By-Law No. 90-.....

North



Scale  
 NOT TO SCALE

Date  
 APRIL, 1990

Reference File No.  
 ZA90-30

Drawn By  
 T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Designate:

**AS A HERITAGE CONSERVATION DISTRICT THE AREA COMPRISED OF  
THE BLOCK BOUNDED BY MACNAB STREET SOUTH, BOLD STREET,  
CHARLES STREET AND HURST PLACE**

WHEREAS subsections 41(1) and 41(3) of The Ontario Heritage act, R.S.O. 1980, Chapter 337 provide as follows:

41. (1) Subject to subsection (2), where there is in effect in a municipality an official plan that contains provisions relating to the establishment of heritage conservation districts, the council of the municipality may by by-law designate the municipality or any defined area or areas thereof as a heritage conservation district.

(2) A by-law passed under subsection (1) does not come into force without the approval of the Board.

AND WHEREAS By-law No. 86-12, passed on the 10th day of December 1985, defined the area shown on Schedule "A" thereto as a Heritage Conservation District to be examined for future designation;

AND WHEREAS such examination has been completed;

AND WHEREAS the Official Plan of the City of Hamilton contains provisions relating to the establishment of heritage conservation districts;

AND WHEREAS it is intended to designate the area defined by the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The area shown on Schedule "A" and comprised in the area defined by By-law No. 86-12, more particularly described in Schedule "B", is hereby designated as a Heritage Conservation District.

2. Schedules "A" and "B" hereto annexed are included in and form part of this by-law.

3. This by-law comes into force and effect upon approval by the Ontario Municipal Board.

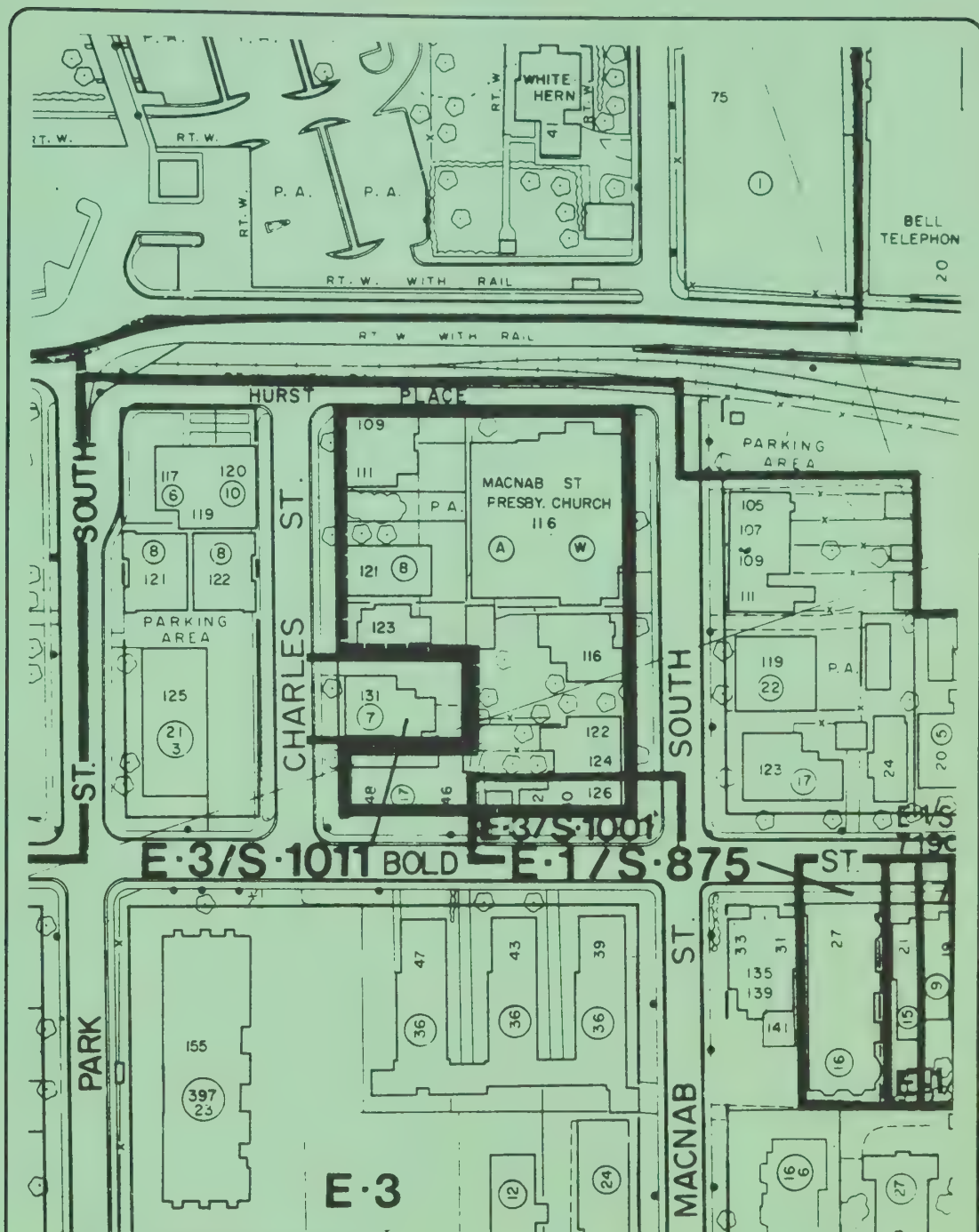
PASSED this            day of

A.D. 1990.

City Clerk

Mayor

(1990) 3 R.P.D.C. 13, January 30



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....  
Passed the ..... day of ....., 1990.

.....  
Clerk

.....  
Mayor

City of Hamilton

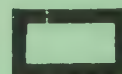
Schedule A

Map Forming Part of  
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands Subject to By-Law No. 90-.....

North



Scale  
NOT TO SCALE

Date  
May, 1990

Reference File No.

Drawn By  
AJL

## SCHEDULE "B"

To

By-law No. 90-

All of Lots 125 to 134 according to Registered Plan number 1270 in the block bounded by Hurst Place (formerly Hunter Street), Charles, Bold and MacNab Streets, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, excepting all of Lot 133 and part of Lot 134, the said exception being described as follows:

Commencing at a point in the eastern limit of Charles Street distant 53.0' measured northerly thereon from the northern limit of Bold Street;

Thence easterly and parallel with the northern limit of Bold Street 100.07', more or less, to the eastern limit of said lot 134;

Thence northerly along the eastern limits of Lot 134 and 133, a distance of 67.81', more or less, to the northeastern angle of said Lot 133;

Thence westerly along the northern limit of Lot 133, a distance of 100.17', more or less, to the northwestern angle of said lot 133, being also a point in the eastern limit of Charles Street;

Thence southerly along the eastern limit of Charles Street 67.79', more or less, to the point of commencement;

Together with the right to maintain in its present position the veranda constructed upon the southern side of the dwelling erected upon the lands herein described projecting into the lands immediately adjoining on the south limit, in Lot 134, to the extent of 0.12' at the western end and 0.42' at the eastern end.

The most recently registered deed carrying the same description mentioned in the exception is 461838C.D.



R. G. Douglas  
Ontario Land Surveyor

February 8, 1990



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

As Amended by By-law No. 88-135

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 1489 TO 1545 UPPER JAMES STREET**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 88-135 on the 10th day of May 1988, to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G" (Neighbourhood Shopping Centre, etc.) District in respect of the above-captioned lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 9th Report of the Planning and Development Committee at its meeting held on the 24th day of April 1990, directed that Zoning By-law No. 6593, as amended by By-law No. 88-135, be further amended to delete Schedule "A" to By-law No. 88-135 and replace it with a revised Schedule "A" to correct technical errors in the dimensions for the front and rear property lines in respect of the above-captioned lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 88-135 is hereby revoked and Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.

2. In all other respects, By-law No. 88-135 is hereby confirmed, unchanged.

3. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1069a.



4. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in clauses (b), (c), (d) and (e) of section 1 of By-law No. 88-135, S-1069a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

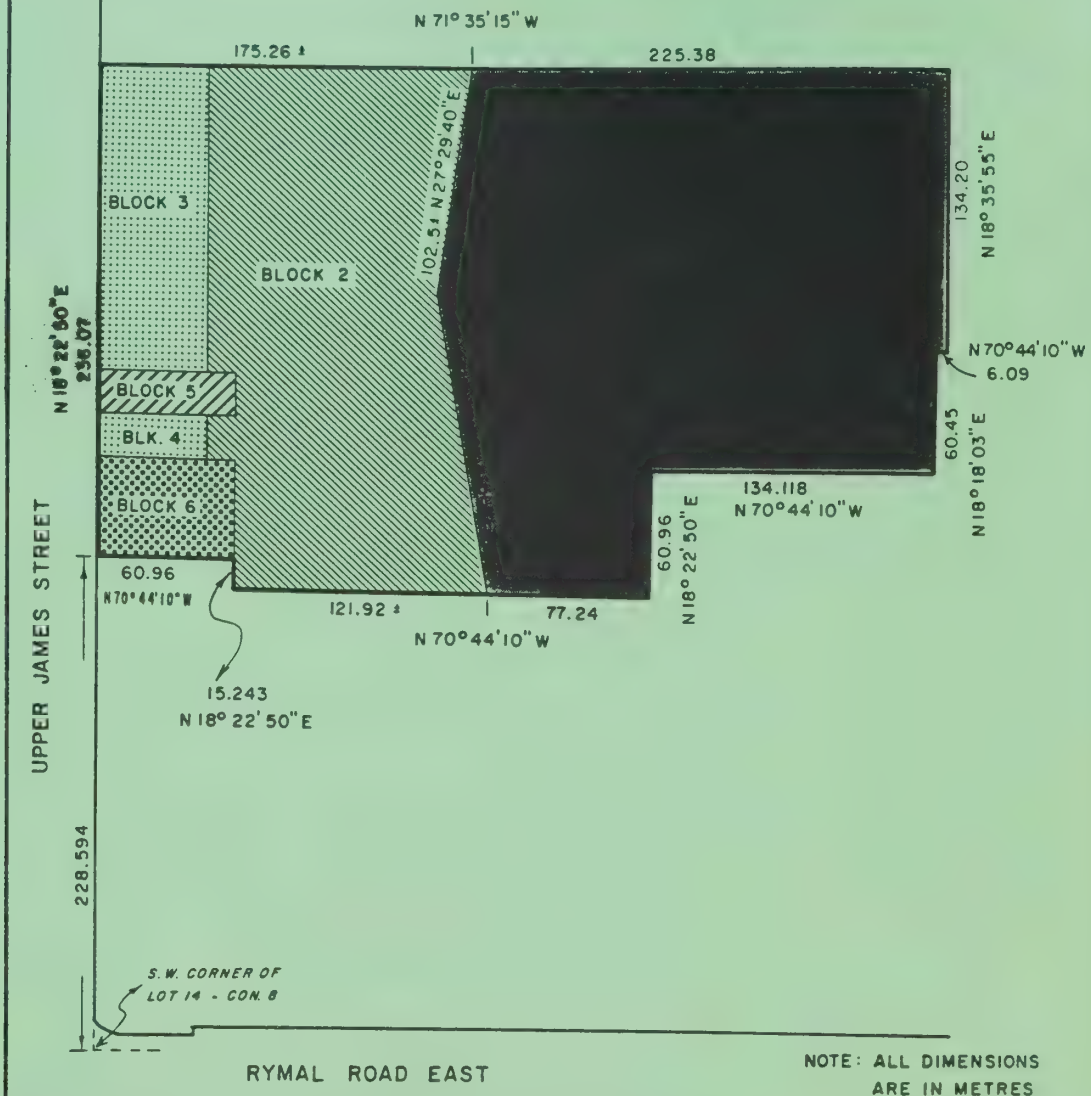
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 9 R.P.D.C. 4, April 24  
491719 Ontario Ltd. and  
663921 Ontario Inc. (J. Paisley), Owner  
ZA-87-84

REVISED SCHEDULE "A"  
TO BY-LAW NO. 88-135



THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

Clerk

Mayor

North 	Scale NOT TO SCALE	Reference File No. ZA-87-84
	Date MARCH 21, 1990	Drawn By Z. K.

**CITY OF HAMILTON**

**SCHEDULE "A"**

**MAP FORMING PART OF**

**BY-LAW NO. 90-**

**TO AMEND BY-LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend	
<b>CHANGES IN ZONING FROM:</b>	
<b>BLOCK 1</b>	"AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
<b>BLOCK 2</b>	"AA" (AGRICULTURAL) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.
<b>BLOCKS 3 AND 4</b>	"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.
<b>BLOCK 5</b>	"E" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.
<b>BLOCK 6</b>	"HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

Respecting:

LAND LOCATED AT MUNICIPAL NO. 203 HESS STREET NORTH

WHEREAS Section 56 of the Planning Act, 1983, S.O. 1983, c. 1 as amended by the Planning Amendment Act, 1989, S.O. 1989, c. 5 provides as follows:

56. (1) The Minister may by order, in respect of land described in the order, provide that the contravention of section 49...does not have and shall be deemed never to have had the effect of preventing the conveyance of or creation of any interest in such land, provided that the order does not affect the rights acquired by any person from a judgment or order of any court given or made on or before the day on which the order is made by the Minister.
- (2) No order shall be made by the Minister under subsection (1) in respect of land situate in a local municipality unless the council of the local municipality in which the land is situate has by by-law requested the Minister to make such order, which such by-law the council is hereby empowered to pass.
- (3) A council may, as a condition to the passage of a by-law under subsection (2), impose such conditions in respect of any land described in the by-law as it considers appropriate;

AND WHEREAS the Council of The Corporation of the City of Hamilton has received an application for a by-law under Section 56 of the Planning Act, 1983, as amended, in respect of land located at Municipal No. 203 Hess Street North;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 10th Report of the Planning and Development Committee at its meeting held on the 8th day of May 1990 directed that a by-law be prepared to request the Minister of Municipal Affairs to make an order under Section 56 of the Planning Act in respect of the land located at Municipal No. 203 Hess Street North, as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Minister of Municipal Affairs is hereby requested to make an order under Section 56 of the Planning Act, 1983, as amended, in respect of the land located at Municipal No. 203 Hess Street North, which land is more particularly described in Schedule "A" annexed hereto and forming part of this by-law.

PASSED this

day of

A.D. 1990.

City Clerk

Mayor

(1990) 10 R.P.D.C. 4, May 8  
M. and I. Bakai, Applicants  
CI-90-A



## SCHEDULE "A"

To

By-law No. 90-

203 Hess Street North

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth and Province of Ontario and being composed of Part of Lot Number Twenty-Nine (29) in Block "A", as shown on plan of survey prepared for McElroy, Bamberger and Rymal, registered in the Registry Office for the Registry Division of Wentworth as No. 119 and which may be more particularly described as follows, that is to say:

COMMENCING at a point in the western limit of Hess Street North where the same is intersected by the production easterly of the centre line of a wall dividing the semi-detached brick dwelling erected upon the herein described parcel of land and known as number 203 Hess Street North and the semi-detached brick dwelling erected upon the lands adjoining on the north and known as number 205 Hess Street North, the said point being distant twenty-one feet eleven inches (21' 11") more or less measured southerly along the western limit of Hess Street from a stake planted at the northeastern corner of lot number twenty-nine (29) aforesaid;

THENCE westerly to and along the aforesaid centre line of wall thirty-two feet and two inches (32' 2") more or less to a point in the western face of a chimney breast of a chimney attached to the western wall of the aforesaid semi-detached dwellings Nos. 203 and 205 Hess Street North, the said point being distant twenty-two feet and four inches (22' 4") more or less measured southerly parallel with the western limit of Hess Street from the northern limit of Lot No. 29 aforesaid;

THENCE westerly parallel with the northern limit of Lot No. 29 one hundred and forty-five feet and seven inches (145' 7") more or less to a point in the western limit thereof;

THENCE southerly along the western limit of Lot 29 nineteen feet and nine and three-quarter inches (19' 9-3/4") more or less to an iron bar planted at the south western corner thereof;

THENCE easterly along the southern limit of Lot No. 29 one hundred and seventy-seven feet and nine and one-half inches (177' 9-1/2") more or less to a stake planted at the southeastern corner thereof and being in the aforesaid western limit of Hess Street North;

THENCE northerly along the western limit of Hess Street North eighteen feet and ten and one-half inches (18' 10-1/2") more or less to the place of beginning.

On the above described parcel of land is erected semi-detached brick dwelling known as No. 203 Hess Street North.

The lands herein were lastly described in Instrument Number 401540 C.D.

The west limit of Hess Street mentioned herein is the west limit as confirmed by BA application #654 registered as number D-8.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

Respecting:

LAND LOCATED AT MUNICIPAL NO. 205 HESS STREET NORTH

WHEREAS Section 56 of the Planning Act, 1983, S.O. 1983, c. 1 as amended by the Planning Amendment Act, 1989, S.O. 1989, c. 5 provides as follows:

56. (1) The Minister may by order, in respect of land described in the order, provide that the contravention of section 49...does not have and shall be deemed never to have had the effect of preventing the conveyance of or creation of any interest in such land, provided that the order does not affect the rights acquired by any person from a judgment or order of any court given or made on or before the day on which the order is made by the Minister.
- (2) No order shall be made by the Minister under subsection (1) in respect of land situate in a local municipality unless the council of the local municipality in which the land is situate has by by-law requested the Minister to make such order, which such by-law the council is hereby empowered to pass.
- (3) A council may, as a condition to the passage of a by-law under subsection (2), impose such conditions in respect of any land described in the by-law as it considers appropriate;

AND WHEREAS the Council of The Corporation of the City of Hamilton has received an application for a by-law under Section 56 of the Planning Act, 1983, as amended, in respect of land located at Municipal No. 205 Hess Street North;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 10th Report of the Planning and Development Committee at its meeting held on the 8th day of May 1990 directed that a by-law be prepared to request the Minister of Municipal Affairs to make an order under Section 56 of the Planning Act in respect of the land located at Municipal No. 205 Hess Street North, as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Minister of Municipal Affairs is hereby requested to make an order under Section 56 of the Planning Act, 1983, as amended, in respect of the land located at Municipal No. 205 Hess Street North, which land is more particularly described in Schedule "A" annexed hereto and forming part of this by-law.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 10 R.P.D.C. 4, May 8  
M. and I. Bakai, Applicants  
CI-90-A



## SCHEDULE "A"

To

By-law No. 90-

205 Hess Street North

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth (formerly in the County of Wentworth), in the Province of Ontario and being composed of Part of Lot Number Twenty-Nine (29) in Block "A", as shown on plan of survey prepared for McElroy, Bamberger and Rymal, registered in the Registry Office for the Registry Division of Wentworth as No. 119 and which may be more particularly described as follows, that is to say:

COMMENCING at a stake planted in the western limit of Hess Street North at the north-eastern corner of Lot 29 aforesaid;

THENCE southerly along the western limit of Hess Street twenty-one feet and eleven inches (21' 11") more or less to a point of intersection with the production easterly of the centre line of a wall dividing the semi-detached brick dwelling erected upon the herein described parcel of land and known as number 205 Hess Street North and the semi-detached brick dwelling erected upon the lands adjoining on the south and known as number 203 Hess Street North;

THENCE westerly to and along the aforesaid centre line of wall thirty-two feet and two inches (32' 2") more or less to a point in the western face of a chimney breast of a chimney attached to the western wall of the aforesaid semi-detached dwellings Nos. 203 and 205 Hess Street North, the said point being distant twenty-two feet and four inches (22' 4") more or less measured southerly parallel with the western limit of Hess Street from the northern limit of Lot No. 29 aforesaid;

THENCE westerly parallel with the northern limit of Lot No. 29 one hundred and forty-five feet and seven inches (145' 7") more or less to a point in the western limit thereof;

THENCE northerly along the western limit of Lot 29 twenty-two feet and four inches (22' 4") more or less to an iron bar planted at the north western corner thereof;

THENCE easterly along the northern limit of Lot No. 29 one hundred and seventy-seven feet and eight inches (177' 8") more or less to the place of beginning.

On the above described parcel of land is erected semi-detached brick dwelling known as No. 205 Hess Street North.

The lands herein were lastly described in Instrument Number 401543 C.D.

The west limit of Hess Street mentioned herein is the west limit as confirmed by BA application #654 registered as number D-8.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Adopt:

Official Plan Amendment No. 87

Respecting:

**LANDS DESIGNATED UTILITIES IN THE HAMILTON HARBOUR  
INCLUDING PIERS 10 TO 14 AND PIERS 25 TO 27 INCLUSIVE**

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 87 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

**AMENDMENT NO. 87**  
**TO THE**  
**CITY OF HAMILTON OFFICIAL PLAN**

The following text constitutes Official Plan Amendment No. 87.

**PURPOSE**

The purpose of this Amendment is to clarify the intent of the Official Plan respecting land use jurisdiction for those lands designated Utilities in the Hamilton Harbour.

**LOCATION**

This amendment applies only to those lands designated Utilities in the Hamilton Harbour including Piers 10 to 14 and Piers 25 to 27 inclusive.

**BASIS**

The Minister of Municipal Affairs and Housing, in approving the City's Official Plan on June 1, 1982, deferred Policy A.2.7.2, as it applies to those lands designated "Utilities" on Piers 25 to 27 in the Hamilton Harbour. This amendment is intended to clarify the policy and remove the deferral from the Official Plan.

**ACTUAL CHANGE**

Subsection A.2.7 - Utilities, Policy A.2.7.2 be revised by deleting the words "and marine related industry or commerce that demonstrates operational need for proximity and access to the Harbour" and replace with "and other uses related to shipping and navigation", so the entire Policy reads as follows:

- "2.7.2 Notwithstanding the permitted uses in Policy 2.7.1 above, the following uses will be permitted on Piers 10 to 14 and Piers 25 to 27 inclusive: shipping terminals; marine freight; passenger handling facilities; related storage, vessel and barge docks; and other uses related to shipping navigation."

**IMPLEMENTATION**

Amendments to the Zoning By-law will give effect to the intended uses on the subject lands.

This is Schedule "1" to By-law No. 90- , passed on the day of , 1990.

**The Corporation of the  
City of Hamilton**

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City Clerk

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Mayor

CF/bs

A:\AMENDMEN



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

and to Repeal By-laws No. 83-239, 83-258 and 84-179

Respecting:

"F-2", "F-3" and "F-4" DISTRICTS

WHEREAS By-law No. 6593 was passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-239 on the 27th day of July 1983 to amend the text of subsection 5(1) of General Zoning By-law No. 6593 by establishing the "F-2" (Open Space Harbour) District, "F-3" (Marine Transportation Services) District and the "F-4" (Waterfront Services) District, which by-law is under appeal to the Ontario Municipal Board;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-258 on the 31st day of August 1983, amending By-law No. 83-239, to clarify the application of the by-law, which by-law is also under appeal to the Ontario Municipal Board;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 84-179 on the 31st day of July 1984 to amend Section 2 of By-law No. 83-239 in respect of the "F-4" (Waterfront Services) District, which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c.1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 11(b) of the 10th Report of the Planning and Development Committee at its meeting held on the 8th day of May 1990, directed that Zoning By-law No. 6593 be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-laws No. 83-239, 83-258 and 84-179 are hereby repealed in their entirety.



2. Subsection 5(1) of By-law No. 6593 is amended by inserting after "F-1" in the list of districts or zones, the following additional classes:

"F-2" districts,  
 "F-3" districts,  
 "F-4" districts.

3. By-law No. 6593 is further amended by adding thereto the following sections:

#### SECTION TWELVE B - "F-2" DISTRICT

##### (Open Space Harbour)

12B (1) Except as provided in subsection 2, in an "F-2" District, no land shall be used for other than the following,

##### (a) PUBLIC USE:

##### 1. Recreational Open Space.

(2) No building or structure shall be erected and no fill shall be dumped unless for the bona fide purpose of navigation, shipping, and boating subject to such approval of governmental authority as may be requisite.

#### SECTION TWELVE C - "F-3" DISTRICT

##### (Harbour Use)

12C (1) Subject to the provisions of Sections 3, 18, 18A and 19, in an "F-3" District no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, for other than one or more of the following:

A. Without purporting to limit the jurisdiction of the Parliament of Canada, the Federal Government, or the Hamilton Harbour Commissioners acting within the scope of their lawful jurisdiction in respect of shipping and navigation matters, shipping and navigation uses are permitted, and include the following:

##### (a) PUBLIC USES

##### 1. Offices of the Hamilton Harbour Commissioners.

##### (b) COMMERCIAL USES

Identification  
Number

Permitted Use

4541	Freight and Passenger Water Transport Industry
4542	Ferry Industry
4543	Marine Towing Industry
4544	Ship Chartering Industry

<u>Identification Number</u>	<u>Permitted Use</u>
4549	Other Water Transport Industries
4551	Marine Cargo Handling Industry
4552	Harbour and Port Operation Industry
4553	Marine Salvage Industry
4554	Piloting Service, Water Transport Industry
4555	Marine Shipping Agencies Industry
4559	Other Service Industries Incidental to Water Transport

## (c) INDUSTRIAL USES

<u>Identification Number</u>	<u>Permitted Use</u>
3271	Shipbuilding and Repair Industry
3281	Boatbuilding and Repair Industry

## (d) OTHER USES

Other bona fide shipping and navigation uses authorized by the Hamilton Harbour Commissioners Act or other valid federal legislation.

B. In respect of buildings, structures or land not used for bona fide purposes of shipping and navigation under Part A, the following uses are also permitted:

## (a) PUBLIC USES

<u>Identification Number</u>	<u>Permitted Use</u>
9841	Labour Organizations

## (b) COMMERCIAL USES

<u>Identification Number</u>	<u>Permitted Use</u>
4561	General Freight Trucking Industry
4562	Used Goods Moving and Storage Industry
4563	Bulk Liquids Trucking Industry
4564	Dry Bulk Materials Trucking Industry
4565	Forest Products Trucking Industry
4569	Other Truck Transport Industry
4592	Freight Forwarding Industry
4599	Other Service Industries Incidental to Transportation, n.e.c.
4711	Grain Elevator Industry
4791	Refrigerated Warehousing Industry
4799	Other Storage and Warehousing Industries, n.e.c.
5999	Other Products n.e.c., Wholesale limited to:
	(i) Ship Chandlers
7794	Customs Broker
9211	Restaurants, Licensed
9212	Restaurants, Unlicensed
9213	Take-Out Food Services
9214	Caterers
9221	Taverns, Bars and Night Clubs

## (c) INDUSTRIAL USES

<u>Identification Number</u>	<u>Permitted Use</u>
1051	Cereal Grain Flour Industry
1052	Prepared Flour Mixes and Prepared Cereal Foods Industry
1053	Feed Industry

## (d) ACCESSORY USES

1. Accessory buildings, structures or uses.
2. Business Identification Signs that are Ground Signs, Wall Signs or Roof Signs of an occupancy or use of the land on which the sign is situate.

(2) Every PUBLIC, COMMERCIAL, INDUSTRIAL and ACCESSORY USE not for the bona fide purposes of shipping and navigation, shall comply with the following:

## (a) Height requirement:

1. No building or structure shall exceed 14.0 metres in height.

## (b) Area requirements:

1. There shall be provided and maintained upon the same lot or tract of land and within the "F-3" District for every building or structure,
  - (i) a front yard having a depth of not less than 6.0 metres;
  - (ii) side yards having a width of not less than 10% of the greatest width of the lot to a maximum width of 6.0 metres, except where the lot is a corner lot, a flankage side yard having a width of not less than 6.0 metres;
  - (iii) a rear yard having a depth of not less than 4.5 metres.

## (c) Intensity of Use requirements:

1. Every lot or tract of land shall have,
  - (i) a lot width of not less than 30.0 metres;
  - (ii) a lot area of not less than 1,100.0 square metres.

## (d) Lot Coverage requirement:

1. Lot coverage by all buildings and structures shall not exceed 60% of the lot area.

## (e) Landscape requirements:

1. There shall be provided and maintained on the same lot or tract of land and within the "F-3" District,
  - (i) a landscaped area in the required front yard having a depth of not less than 6.0 metres abutting the street line, except for the area used for access driveways;
  - (ii) where the lot or tract of land is a corner lot, a landscaped area in the entire required side yard abutting the street line, except for the area used for access driveways;
  - (iii) where the lot or tract of land abuts an "A" District, a landscaped area having a width or depth of not less than 7.5 metres along the full length of the lot line abutting the "A" District.

## (f) Storage requirements:

1. No front yard shall be used for outside storage.
2. Every side yard or rear yard that is used for outside storage of any material or any equipment shall be completely screened from external view by a visual barrier not less than 1.5 metres in height and not more than 3.0 metres in height.
3. No part of a side yard or rear yard used for outside storage shall be situate less than 6.0 metres from an abutting street line or from the boundary of an abutting "A" District.

## (3) Every sign referred to in subsection B.(d)2 shall comply with the following requirements:

1. No ground sign shall exceed 6.0 metres in vertical dimension.
2. No wall sign shall exceed 4.5 metres in vertical dimension.
3. No roof sign shall exceed 3.5 metres in vertical dimension.
4. The total aggregate area of all signs shall not exceed 0.5 square metres for every 0.5 metres of the frontage on which the lot abuts.



## SECTION TWELVE D - "F-4" DISTRICT

## (Waterfront Services)

12D (1) Subject to the provisions of Sections 3, 18, 18A and 19, in an "F-4" District no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, for other than one or more of the following:

A. Without purporting to limit the jurisdiction of the Parliament of Canada, the Federal Government, or the Hamilton Harbour Commissioners acting within the scope of their lawful jurisdiction in respect of shipping and navigation matters, shipping and navigation uses are permitted, and include the following:

## (a) PUBLIC USES

1. Offices of the Hamilton Harbour Commissioners.

## (b) COMMERCIAL USES

<u>Identification Number</u>	<u>Permitted Use</u>
4541	Freight and Passenger Water Transport Industry
4542	Ferry Industry
4543	Marine Towing Industry
4544	Ship Chartering Industry
4549	Other Water Transport Industries
4551	Marine Cargo Handling Industry
4552	Harbour and Port Operation Industry
4553	Marine Salvage Industry
4554	Piloting Service, Water Transport Industry
4555	Marine Shipping Agencies Industry
4559	Other Service Industries Incidental to Water Transport

## (c) INDUSTRIAL USES:

<u>Identification Number</u>	<u>Permitted Use</u>
3271	Shipbuilding and Repair Industry
3281	Boatbuilding and Repair Industry

## (d) OTHER USES

Other bona fide shipping and navigation uses authorized by the Hamilton Harbour Commissioners Act or other valid federal legislation.

B. In respect of buildings, structures or land not used for bona fide purposes of shipping and navigation under Part A, the following uses are also permitted:



## (a) PUBLIC USES

<u>Identification Number</u>	<u>Permitted Use</u>
9841	Labour Organizations

## (b) COMMERCIAL USES

<u>Identification Number</u>	<u>Permitted Use</u>
4561	General Freight Trucking Industry
4562	Used Goods Moving and Storage Industry
4563	Bulk Liquids Trucking Industry
4564	Dry Bulk Materials Trucking Industry
4565	Forest Products Trucking Industry
4569	Other Truck Transport Industry
4592	Freight Forwarding Industry
4599	Other Service Industries Incidental to Transportation, n.e.c.
4711	Grain Elevator Industry
4791	Refrigerated Warehousing Industry
4799	Other Storage and Warehousing Industries, n.e.c.
5111	Petroleum Products, Wholesale
5999	Other Products n.e.c., Wholesale limited to:
	1) Ship Chandlers
7794	Customs Broker
9211	Restaurants, Licensed
9212	Restaurants, Unlicensed
9213	Take-Out Food Services
9214	Caterers
9221	Taverns, Bars and Night Clubs

## (c) INDUSTRIAL USES

<u>Identification Number</u>	<u>Permitted Use</u>
1051	Cereal Grain Flour Industry
1052	Prepared Flour Mixes and Prepared Cereal Foods Industry
1053	Feed Industry
1061	Vegetable Oil Mills (Except Corn Oil)
1081	Cane and Beet Sugar Industry
1082	Chewing Gum Industry
1083	Sugar and Chocolate Confectionary Industry
1091	Tea and Coffee Industry
1092	Dry Pasta Products Industry
1093	Potato Chip, Pretzel and Popcorn Industry
1094	Malt and Malt Flour Industry
1099	Other Food Products Industries, n.e.c.
1111	Soft Drink Industry
1121	Distillery Products Industry
1131	Brewery Products Industry
1141	Wine Industry
3521	Hydraulic Cement Industry
3551	Redi-mix Concrete Industry
3699	Other Petroleum and Coal Products Industry

## (d) ACCESSORY USES

1. Accessory buildings, structures or uses.
2. Business Identification Signs that are Ground Signs, Wall Signs or Roof Signs of an occupancy or use of the land on which the sign is situate.

## (e) EXISTING USES

Any use existing as of July 31, 1984, except RESIDENTIAL USES.

(2) Every PUBLIC, COMMERCIAL, INDUSTRIAL and ACCESSORY USE not for the bona fide purposes of shipping and navigation, shall comply with the following:

## (a) Height requirement:

1. No building or structure shall exceed 37.0 metres in height.

## (b) Lot Coverage requirements:

1. Subject to paragraph 2, lot coverage of all buildings and structures shall not exceed 85% of the lot area.
2. Where a side lot line or rear lot line abuts a residential district, no building or structure shall be situated nearer to any such side lot line or rear lot line than 4.5 metres

(3) Every sign referred to in subsection B.(d)2 shall comply with the following requirements:

1. No ground sign shall exceed 6.0 metres in vertical dimension.
2. No wall sign shall exceed 4.5 metres in vertical dimension.
3. No roof sign shall exceed 3.5 metres in vertical dimension.
4. The total aggregate of all signs shall not exceed 0.5 square metres for every 0.5 metres of the frontage on which the lot abuts.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 10 R.P.D.C. 11(b), May 8  
City Initiative 90-B



CITY CLERK  
J.J. SCHATZ  
DEPUTY CITY CLERK

**THE CORPORATION OF THE CITY OF HAMILTON**  
OFFICE OF THE CITY CLERK

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

TEL: 546-2700  
FAX: 546-2095

URBAN MUNICIPAL

**MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON**

GOVERNMENT DOCUMENTS

Tuesday, May, 29, 1990  
7:30 o'clock p.m.  
Council Chambers, City Hall

**A G E N D A**

1.       **Opening Prayer**  
  
          Father Joseph Fulop  
          St. Stephen's Hungarian Roman Catholic Church  
          130 Barton Street East
  
2.       **Proclamation**  
  
          Als Flower Day
  
3.       **Civic Award Presentation**  
  
          Hamilton Seekers Bantam Volleyball Team
  
4.       **Presentation By Reg Wheeler/Paul Hendrick**  
  
          Proceeds from Memorial Cup Special Events to the  
          Greater Hamilton Food Bank

## (d) ACCESSORY USES

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(3) Every sign referred to in subsection B.(d)2 shall comply with the following requirements:

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3. No roof sign shall exceed 3.5 metres in vertical dimension.
4. The total aggregate of all signs shall not exceed 0.5 square metres for every 0.5 metres of the frontage on which the lot abuts.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 10 R.P.D.C. 11(b), May 8  
City Initiative 90-B



CITY CLERK  
J.J. SCHATZ  
DEPUTY CITY CLERK

**THE CORPORATION OF THE CITY OF HAMILTON**  
OFFICE OF THE CITY CLERK

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

TEL: 546-2700  
FAX: 546-2095

HAMILTON 1990

**MEETING OF THE COUNCIL**

GOVERNMENT DOCUMENTS

**OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, May, 29, 1990  
7:30 o'clock p.m.  
Council Chambers, City Hall

**A G E N D A**

**1. Opening Prayer**

Father Joseph Fulop  
St. Stephen's Hungarian Roman Catholic Church  
130 Barton Street East

**2. Proclamation**

Als Flower Day

**3. Civic Award Presentation**

Hamilton Seekers Bantam Volleyball Team

**4. Presentation By Reg Wheeler/Paul Hendrick**

Proceeds from Memorial Cup Special Events to the  
Greater Hamilton Food Bank





5. Minutes

May 3, 1990

May 8, 1990

6. Petitions and Correspondence

7. Reports of the Standing Committees

(a) Finance and Administration Committee

(b) Transport and Environment Committee

(c) Parks and Recreation Committee

(d) Planning and Development Committee

(e) Information Systems Committee

(f) Licencing Committee

8. Notices of Motion from Previous Meeting

(a) Alderman T. Murray

(b) Alderman V. J. Agro

9. Notices of Motion for Next Meeting

10. First Reading of the Bills

11. Second Reading of the Bills - Committee of the Whole

12. Third Reading of the Bills

13. Question Period

14. Adjournment



MINUTES





MEETING OF HAMILTON CITY COUNCIL  
THURSDAY, MAY 3, 1990  
7:30 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Smith, Jackson, Gallagher, Murray.

ABSENT: Alderman Drury (City Business)  
Alderman Lombardo (Medical Reasons)  
Alderman Merling (Regional Business)  
Alderman Ross (Regional Business)

The Clerk read the notice calling the meeting.

\* \* \* \* \*

Alderman Smith declared a conflict of interest, took no part in the debate and refrained from voting on all resolutions and by-laws before City Council at this meeting dealing with the setting of mill rates and collection of taxes for the Board of Education for the City of Hamilton inasmuch as he is a casual employee of the Board of Education.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Report, with Alderman Gallagher in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Smith, Jackson, Gallagher, Murray. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*

(A) FINANCE AND ADMINISTRATION COMMITTEE - FOURTEENTH REPORT.

Recorded vote on the challenge "that the ruling of the Chair be sustained. (Re: The ruling of Chairman Gallagher that Section 1 is illegal and should not be dealt with by City Council.)

YEAS: Mayor Morrow; Alderman Gallagher. - 2.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Jackson, Murray. - 10. LOST.

\* \* \* \* \*

Recorded vote on Section 1. (Re: That the 1990 Mill Rates for the Boards of Education not be included for billing purposes in the collection of taxes.)

YEAS: Aldermen Copps, Agostino. - 2.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Christopherson, Jackson, Gallagher, Murray. - 10. LOST.

\* \* \* \* \*

Recorded vote on Section 2. (Re: Establishment of a Special Sub-Committee to Review and Examine the Impact and Mechanism of Sending Out Separate Boards of Education Tax Bills in 1991.)

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Jackson, Gallagher, Murray. - 12.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council to consider a resolution to approve the 1990 Mill Rates for the City, Region, and Boards of Education, and the Tax Levy By-laws. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: (a) That the 1990 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes in accordance with Exhibit "A", Column (10) attached hereto.

(b) That leave be granted to introduce the following Bills:

- A-17 - A By-law to Fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1990.
- A-18 - A By-law to Fix the Rates of Taxation for Municipal Purposes for the Year 1990.
- A-19 - A By-law to Fix the Rates of Taxation for Regional Purposes for the Year 1990.
- A-20 - A By-law to Fix the Rates of Taxation for School Purposes for the Year 1990.
- A-21 - A By-law to Levy an Annual Tax on Telephone Companies Doing Business in Ontario Respecting

COMPARISON OF COMPONENTS AND TOTAL MILL RATES  
FOR THE YEARS 1982 TO 1990 INCLUSIVE

M i l l R a t e s												Increase + Decrease - 1989 to 1990
Description (1)	1982 (2)	1983 (3)	1984 (4)	1985 (5)	1986 (6)	1987 (7)	1988 (8)	1989 (9)	1990 (10)	Mills (11)	% (12)	
Residential												
City	62.7923	62.7923	69.7323	73.4019	79.3485	83.9779	87.7568	92.2114(1)	96.7685	4.5671+	4.9+	
Region	54.7552	56.6640	56.8038	59.6126	63.5186	69.3371	73.3187	82.8278(1)	82.1727	9.2449+	11.1+	
Sub Total	117.5475	119.4563	126.5361	133.0145	142.8671	153.3150	161.0755	175.1392	188.9412	13.8020+	7.9+	
Education - Elementary	50.0013	57.0683	58.2131	65.4968	68.4729	73.9790	80.9599	86.5187	104.4188	17.9001+	20.7+	
- Secondary	37.9186	41.0524	44.2715	45.1813	43.2464	54.3680	57.1976	62.4175	71.4700	9.0525+	14.5+	
Sub Total	87.9199	98.1207	102.4846	110.6781	111.7193	128.3670	138.1575	148.9362	175.8888+	26.9526+	19.1+	
Total Mill Rates	205.4674	217.5770	229.0207	243.6926	254.5864	281.6820	299.2330	324.0754	364.8300	40.7546+	12.6+	
Non-Residential												
City	73.8733	73.8733	82.0379	86.3552	93.3512	98.7975	103.2433	108.4840	113.8453	5.3613+	4.9+	
Region	64.4179	66.0636	66.8280	70.1325	74.7278	81.5731	86.2574	97.5621	108.4385	10.8764+	11.1+	
Sub Total	138.2912	140.5369	148.8659	156.4877	168.0790	180.3706	189.5007	206.0461	222.2838	16.2377+	7.9+	
Education - Elementary	58.8251	67.1392	68.4860	77.0551	80.5564	87.0341	95.2469	101.7867	122.8456	21.0589+	20.7+	
- Secondary	44.6101	48.2969	52.0841	53.1545	50.8781	63.9859	67.2913	73.4324	84.0823	10.6499+	14.5+	
Sub Total	103.4352	115.4361	120.5701	130.2096	131.4345	151.0200	162.5382	175.2191	206.9279	31.7088+	19.1+	
Total Mill Rates	241.7264	255.9730	269.4360	286.6973	299.5135	331.3906	352.0389	381.2652	429.2117	47.9465+	12.6+	
Notes: The 1990 mill rates were calculated based on the 1989 unreviewed assessment for 1990 taxation.												
(1) The mill rates in 1989 reflect the transfer of 3.3558 residential mills from the City of Hamilton to the Regional Municipality of Hamilton-Wentworth for the subsidized transit fare program within the City of Hamilton totalling \$3,663,570.00 for the year 1989.												
1989 April 20												

Notes: The 1990 mill rates were calculated based on the 1989 unrevised assessment for 1990 taxation.

(1) The mill rates in 1989 reflect the transfer of 3.3558 residential mills from the City of Hamilton to the Regional Municipality of Hamilton-Wentworth for the subsidized transit fare program within the City of Hamilton totalling \$3,463,570.00 for the year 1989.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above Report, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Jackson, Gallagher, Murray. - 12.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-17, A-18, A-19, A-20, A-21, A-22.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Gallagher, Murray. - 11.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alder Gallagher in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Gallagher, Murray. - 11.

NAYS: 0 - CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Gallagher, Murray. - 11.

NAYS: 0 - CARRIED.

\* \* \* \* \*



It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-17, A-18, A-19, A-20, A-21, A-22.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Gallagher, Murray. - 11.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 5.15 o'clock, p.m.

\* \* \* \* \*





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, MAY 8, 1990  
7.30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross,  
Murray.

ABSENT: Alderman Jackson (Regional Business)  
Alderman Merling (Vacation)

His Worship Mayor Robert M. Morrow called the meeting to order.

Reverend Father George Vukelich, St. Nicholas Serbian Church, led the Council in prayer.

\* \* \* \* \*

A Certificate of Recognition was presented to Mr. Garrett Prins for his achievement in winning the 1989 Irish Junior Open and receiving a Silver Medal in the Tennis Doubles Championship at the Canada Games.

\* \* \* \* \*

His Worship Mayor Robert M. Morrow read the following Proclamation:

(a) Royal Week - May 14-21, 1990.

\* \* \* \* \*

The minutes of the meeting of April 24, 1990, were taken as read and approved.

\* \* \* \* \*

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application dated April 23, 1990, from Sapte Investments Inc., 16 Westaway Place, Hamilton, Ontario, for a modification to the zoning of property located at 54 Hess Street. **Received.**
2. Application dated April 27, 1990, from Simcoe & Erie General Insurance Company, 505 York Boulevard, P.O. Box 2018, Hamilton, Ontario, for a further modification to the zoning of property located at 39 and 41 Devonport Street. **Received.**
3. Resolution dated April 30, 1990, from The Corporation of the City of Brampton, 150 Central Park Drive, Brampton, Ontario, re door-to-door mail delivery. **Referred to Finance and Administration Committee.**
4. Resolution dated May 2, 1990, from the County of Oxford, P.O. Box 397, Woodstock, Ontario, re Employer Health Tax Assessment on retroactive wages for the years prior to January 1, 1990. **Referred to the Finance and Administration Committee.**

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting insurance coverage for a fireworks display to be undertaken by the Gilkson Community Council. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: that the City of Hamilton assume responsibility for providing an additional \$1,000,000. insurance coverage for the Gilkson Community Council, in addition to the \$1,000,000. already provided, relative to its planned fireworks display. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee to consider the following Reports, with Alderman Gallagher in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

(A) FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT.

It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Appendix "B", as referred to in Section 18 be amended by deleting the figure "5,000." in column 5 of No. 1 and inserting in lieu thereof the figure "15,000."

YEAS: Mayor Morrow; Aldermen Agro, McCulloch. - 3.

NAYS: Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 12. LOST.

\* \* \* \* \*

Recorded vote on Section 9 of Schedule "B". (Re: McQuesten Community Association Grant.)

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 14.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Ross.

RESOLVED: that Section 19, regarding an interest free loan to Theatre Terra Nova, be amended by:

1. deleting the words "75% of", in Subsection (c) (i), so that the Subsection shall read as follows:

"(i) the first and second mortgages do not exceed the appraised value of the property."

2. adding the following as Subsection (d):

"(d) That this amount be charged to the Reserve for Contingency Account Centre Number CH 00115."

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Ross. - 10.

NAYS: Aldermen McCulloch, Lombardo, Smith, Gallagher, Murray. - 5.  
CARRIED.

\* \* \* \* \*

Recorded vote on Section 19, as amended. (Re: Interest Free Loan to Theatre Terra Nova.)

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Ross. - 10.

NAYS: Aldermen McCulloch, Lombardo, Smith, Gallagher, Murray. - 5.  
CARRIED.

\* \* \* \* \*



It was moved by Alderman Hinkley and seconded by Alderman Ross.

RESOLVED: that the following be added as Section 21:

"21. That the Regional Municipality of Hamilton-Wentworth be requested to join the City of Hamilton in the preparation and presentation of a similar "mock invoice" to the local Members of the Provincial Legislature; and that due to time constraints the Region be requested to reply to the City's invitation as soon as possible within the next two weeks." -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Lombardo, Smith, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, Agro, Copps, Agostino. - 4. CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Ross.

RESOLVED: that Section 21 be amended by adding the words "the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board", after the word "Wentworth" in the second line, and by adding the words "and School Boards" after the word "Region" in the sixth line. - CARRIED.

\* \* \* \* \*

Recorded vote on Section 21, as amended. (Re: Presentation of a "Mock Invoice" to Local Members of Provincial Parliament.)

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Lombardo, Smith, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, Agro, Copps, Agostino. - 4. CARRIED.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT.

Alderman Hinkley declared personal interest in, took no part in the debate, and refrained from voting on Section 9, regarding a discharge of an Encroachment Agreement at 21 East Avenue South, as he resides on the premises.

\* \* \* \* \*

Recorded Vote on Section 12. (Re: Permission to Hamilton and District Littracy Council to Display a Banner Across Main Street.)

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

Recorded Vote on Section 13. (Re: Permission to the Memorial Cup Organizing Committee to Display a Promotional Banner Across Main Street.)

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Subsection (b) of Section 20 re two hour parking time limit on the south side of Jackson Street West, between Ray Street and Pearl Street, be referred back. - CARRIED.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - TENTH REPORT.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT.

Alderman Cooke declared a personal interest in, took no part in the debate, and refrained from voting on Section 9, regarding a change in zoning on property located at the north-east corner of Jackson Street and Ferguson Avenue South. The March of Dimes, of which he is an employee, may be a tenant on these premises.

\* \* \* \* \*

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that Subsection (b)(vi) of Section 9, regarding a change in zoning on property located at the north-east corner of Jackson Street and Ferguson Avenue South, be amended by deleting the number "65" and substituting in lieu thereof the number "63"; and that Subsection (e) of the "NOTE" be amended by deleting the number "65" and substituting in lieu thereof the number "63". - CARRIED.

\* \* \* \* \*

Recorded vote on Section 9, as amended.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Christopherson, Lombardo, Smith, Gallagher, Ross, Murray. - 12.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

(F) HIS WORSHIP MAYOR ROBERT M. MORROW - SECOND REPORT.

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: that the Second Report of His Worship Mayor Robert M. Morrow be tabled until after debate on the Notice of Motion of Alderman Murray dealing with the composition of the Mayor's Race Relations Committee. -

YEAS: Aldermen Ross, Murray. - 2.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher. - 12. LOST.

\* \* \* \* \*

Recorded Vote to Receive the Second Report of His Worship Mayor Robert M. Morrow.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross. - 14.

NAYS: Alderman Murray. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman McCulloch and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution respecting the 1990 Hamilton-Scourge/Jason Project. - CARRIED.

\* \* \* \* \*

It was moved by Alderman McCulloch and seconded by Alderman Ross.

RESOLVED: that the attached Memorandum of Agreement between The Corporation of the City of Hamilton and The Jason Foundation for Education for the 1990 Hamilton-Scourge/Jason Project, as prepared by Turkstra, Mazza Associates, Lawyers, be approved, in principle, pending preparation of a final document to be signed by all parties concerned.

NOTE: Attached, for the information of the Members of City Council, is a copy of a letter from Mr. Herman Turkstra, dated 1990 May 8, respecting the latest draft of the Agreement between the City of Hamilton and The Jason Foundation for Education regarding the exploration of the Hamilton-Scourge.

\* \* \* \* \*



It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-23, A-24, A-25, A-26, A-27, A-28, A-29, A-30,  
B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52,  
B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60,  
B-61, B-62, B-63,  
D-49, D-50, D-51, D-52, D-53, D-54, D-55, D-56,  
D-57, D-58.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Gallagher in the chair.

A-23, A-24, A-25, A-26, A-27, A-28, A-29, A-30,  
B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52,  
B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60,  
B-61, B-62, B-63.  
D-49, D-50, D-51, D-52, D-53, D-54, D-55, D-56,  
D-57, D-58.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 14.

NAYS: 0 - CARRIED.

\* \* \* \* \*



Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallaher, Ross, Murray. - 14.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-23, A-24, A-25, A-26, A-27, A-28, A-29, A-30,  
B-45, B-46, B-47, B-48, B-49, B-50, B-51, B-52,  
B-53, B-54, B-55, B-56, B-57, B-58, B-59, B-60,  
B-61, B-62, B-63,  
D-49, D-50, D-51, D-52, D-53, D-54, D-55, D-56,  
D-57, D-58.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Smith, Gallagher, Ross, Murray. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 11.40 o'clock, p.m.

\* \* \* \* \*

C O R R E S P O N D E N C E



### Correspondence

1. Resolution dated May 11, 1990, from Mr. Brian W. Knott, Solicitor/Clerk, The Corporation of the City of Chatham, P.O. Box 640, Chatham, Ontario, re "Use of Refillable Soft Drink Beverage Containers".

**Recommendation:**                      **Refer to Transport and Environment Committee.**

2. Resolution dated May 7, 1990, from Mr. C. D. Weldon, Chief Administrative Officer, The Town of Richmond Hill, 266 Yonge Street, Toronto, Ontario, re "Road Improvements".

**Recommendation:**                      **Refer to Finance and Administration Committee.**

3. Application dated May 8, 1990, from Buckingham York Ltd., 57 John Street South, Hamilton, Ontario, for a modification to the zoning of property located at 150-158 Catharine Street South.

**Recommendation:**                      **Be Received.**

4. Application dated May 9, 1990, from Glenville Lionel Brewster and Dorothy Merlene Brewster, 19 Holton Avenue South, Hamilton, Ontario, for a change in zoning of property located at 218-220 Maplewood Avenue.

**Recommendation:**                      **Be Received.**

5. Application dated May 11, 1990, from Mintland Developments Inc., 27 Bowes Road, Unit 5, Concord, Ontario, for a change in zoning of property located at 252, 256, 260 and 262 Victoria Avenue North.

**Recommendation:**                      **Be Received.**

6. Application dated May 15, 1990, from 789068 Ontario Ltd., (Dan Valentini), c/o P.O. Box 192, Hamilton, Ontario, for a modification to the zoning of property located at 89 Highland Road.

**Recommendation:**                      **Be Received.**

7. Application dated May 16, 1990, from Christine Spera-Fazackerly, 267 Beach Road, Hamilton, Ontario, for a modification to the zoning of property located at 1 Mount Royal Avenue.

**Recommendation:**                      **Be Received.**

8. Application dated May 22, 1990, from Malatesta Bros. Construction, 145 Reid Avenue South, Hamilton, Ontario, for a change in zoning of property located at 1461 Upper Gage Avenue.

**Recommendation:** **Be Received.**

9. Application dated May 23, 1990, from Allan John Beattie, c/o 801 Mohawk Road West, Hamilton, Ontario, for a modification to the zoning of property located at 1280 Rymal Road East

**Recommendation:** **Be Received.**

10. Application dated May 24, 1990, from Hamilton Builders' Supply Ltd., Box 6026, Station "F", Hamilton, Ontario, for a modification to the zoning of property located at 164 Limeridge Road East.

**Recommendation:** **Be Received.**

11. Letter dated May 18, 1990, from Mary Kaye Clarke, Chairman, the Board of Education for the City of Hamilton, 100 Main St. West, Hamilton, Ontario, re presentation of a "mock" invoice to the Provincial Government.

**Recommendation:** **Be Received.**

12. Letter dated May 16, 1990, from Mrs. M. Gallagher, Secretary, Economic Development and Planning Committee, The Regional Municipality of Hamilton-Wentworth, 119 King St. West, Hamilton, Ontario, re application to the Federation of Canadian Municipalities (F.C.M.) for financial assistance under the "Affordability and Choice Today" (A.C.T.) program (PLA 90-055).

**Recommendation:** **Be Received.**

13. Letter dated May 16, 1990, from Mrs. M. Gallagher, Secretary, Economic Development and Planning Committee, The Regional Municipality of Hamilton-Wentworth, 119 King St. West, Hamilton, Ontario, re application to the Federation of Canadian Municipalities (F.C.M.) for financial assistance under the "Affordability and Choice Today" (A.C.T.) program (PLA 90-056), dated May 16, 1990.

**Recommendation:** **Be Received.**

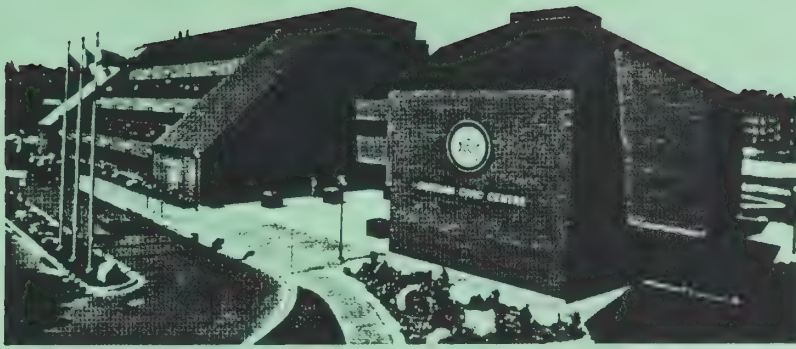


14. Resolution dated May 22, 1990, from The Corporation of the City of Windsor, Ontario, re "amendment to the Railway Act to provide for approval and certification of municipal Anti-Whistling By-laws by the Railway Safety Director", et al.

Recommendation:

Be Referred to the Transport and  
Environment Committee.





519-332-4300  
FAX  
519-436-3237

THE CORPORATION OF THE CITY OF CHATHAM  
RECEIVED

P.O. BOX 640  
CHATHAM, ONT., May 1, 1990  
N7M 5K8

MAY 7 1990

OUR FILE \_\_\_\_\_

YOUR FILE \_\_\_\_\_

Dear Sir/Madam:

CITY CLERKS

RE: USE OF REFILLABLE SOFT DRINK BEVERAGE CONTAINERS

Chatham City Council at its meeting held on April 30, 1990 considered a brief from Alderman Paul D. Watson with respect to Provincial requirements for the use of refillable soft drink beverage containers in Ontario. Council endorsed the brief and adopted Resolution No. 90-19 dealing with this subject; a copy of the Resolution and related material has been enclosed for your information.

In accordance with the decision of Council, we request that you place the Resolution and supporting documents on your Council's agenda for their consideration and endorsement and that favourable support be expressed to the Minister of the Environment and your local M.P.P.

Thank you for your consideration of this important issue.

Yours very truly

Brian W. Knott  
Solicitor/Clerk

BWK:fl

enc



CITY OF CHATHAM

RESOLUTION 90-19

WHEREAS the most important of the four "R's" of reduce, re-use, recycle, and recover are reduce and re-use;

AND WHEREAS the Province of Ontario is considering reducing the minimum requirements relating to the use of refillable soft drink beverage containers;

AND WHEREAS this will permit the soft drink industry to produce non-refillable containers thereby leading to an increase in the municipal waste stream and a greater litter problem, thereby leading to increased municipal costs;

BE IT RESOLVED that the Government of the Province of Ontario be urged that as a minimum, the current minimum requirements relating to the use of refillable soft drink beverage containers, be maintained,

and

BE IT FURTHER RESOLVED that the Government of Ontario increase and strengthen these minimum requirements.

AND FURTHER that this Resolution be circulated to the Premier of Ontario, the Minister of the Environment, the Minister of Municipal Affairs, Maurice Bossy, MPP-Chatham-Kent, the Association of Municipalities of Ontario, and all Ontario municipalities with a population in excess of 20,000 with a request to endorse the Resolution.

MOVED BY: ALDERMAN WATSON

SECONDED BY: ALDERMAN SULMAN



## M E M O R A N D U M

TO: MAYOR AND COUNCIL  
FROM: ALDERMAN PAUL WATSON  
DATE: APRIL 27, 1990  
RE: PROPOSED RESOLUTION

---

AIM:

To recommend that a resolution in the form of the draft resolution attached be forwarded to the Minister of Environment, Minister of Municipal Affairs, the Premier of Ontario, Maurice Bossey, MPP, the Association of Municipalities of Ontario, and all Ontario municipalities with a population in excess of 20,000.00 with a request to endorse the said resolution.

BACKGROUND:

At the large urban section meeting of the Association of Municipalities of Ontario in Windsor on April 26, 1990, Bill Armstrong, the President of Energy Pathway Inc., advised that the Provincial Government was preparing to bring forth a change in regulations, within the next four weeks, which would reduce the requirement that at least 30% of all soft drink beverage containers be returnable. It appears that these regulations may be scrapped in their entirety thereby permitting the soft drink industry to completely abandon refillable containers. A copy of Mr. Armstrong's report is attached to this memorandum. From Mr. Armstrong's point of view, the support of the Ontario Multi-Material Recycling Corporation (OMMRI) by the soft drink industry was a sham to enable them to promote recycling at the cost of promoting reusable containers. This has permitted the soft drink industry to shift the cost of controlling the waste generated by soft drink containers from the soft drink industry to the municipalities, which will shoulder the burden of operating recycling programs in most cases at a loss. The further irony is that in going to non-refillable containers, it is not necessary for the soft drink industry to have bottling plants in the smaller regional municipalities for the purpose of collecting, cleaning, and refilling the refillable bottles. This permits the soft drink industry to mass produce non-returnable beverage containers in the large centres such as Toronto and close down the smaller bottling plants in the small, less central municipalities. This may explain why the Coca-cola bottling plant in Chatham recently closed operations.

RECOMMENDATION:

As set forth above.

  
ALDERMAN PAUL D. WATSON

## WHY ABANDONING REFILLABLE SOFT DRINK CONTAINERS IS A BAD DECISION

### Industry Arguments For Abandoning Refillable Containers

1. According to the Ontario Ministry of the Environment (MOE) and Ontario Multi-Material Recycling Incorporated (OMMRI), the consumer demands disposable containers.
2. Industry is setting a unique precedent in taking responsibility for the waste products they produce.
3. Recycling solved this problem.

### The Arguments Examined

#### 1. Consumer Demand

Although disposable containers are convenient, historically the consumer copes quite nicely with 100% refillable or returnable beer containers. The apparent shift in consumer preference has been manipulated in the following ways: first, there is virtually no consumer choice in single-serving sized soft drinks; choice is restricted to large, refillable glass bottles. Thus, the legitimate convenience of single-serving containers is linked to the dubious "convenience" of throw-away packaging. Soft drinks sold commercially at bars, restaurants and through vending machines are predominately in one-way containers, which creates a sense that there is no other single-serving alternative. There is no available data to prove the proportion of ads showing disposable containers, but casual observation of the industry's television advertising strongly suggests that one-way containers are acceptable.

Disinformation about the cost and effectiveness of the blue box system and recycling in general is rampant, and neither the soft drink industry nor the MOE is doing anything about it. If, in fact, the industry sincerely wanted to maintain a higher refillable percentage of these products, it is within their power, and yet they have heavily promoted disposable containers.

#### 2. The Myth of "Industry Leadership"

In supporting blue box recycling, the soft drink industry's apparent motive is the elimination of the deposit system. The argument put forward by Alcan that the cost of maintaining the deposit system might amount to more than \$60 million a year is one designed to elicit some sympathy from the consumer. However, their fundamental rationale for support of the blue box has never been clearly stated by industry. It is as follows:

Like any other large concern, the easiest way to control production costs and



maximize profits is to consolidate operations into as few and as large units as can be accomplished. Until the blue box came along, the single factor preventing this consolidation was the requirement that soft drink containers be refillable and reusable. In abandoning refillables, we have pronounced the death sentence on all of the small bottling and distributing facilities across the province that service their own communities.

The irony of this situation should not be lost on small municipalities which are now paying very high prices to collect and recycle disposable containers whose presence in the marketplace was made possible by closing down and curtailing operations of the local bottling plants. It is cynical for the soft drink industry to preach stewardship of the environment while methodically dismantling a perfectly workable, environmentally friendly network of small, community-based businesses.

### 3. The Myth of the Third 'R'

For any thoughtful person, the disappearance of the refillable bottle, by choice or circumstance, is somewhat compensated by the presence of a blue box by which we send our one-way containers back to the marketplace. Unfortunately, facts do not support the apparent comfort this has given consumers in making purchasing choices when it comes to beverage containers. The main points are:

- Blue box systems are extremely costly to operate;
- The cost of these systems is borne by the municipal taxpayer, and to a lesser extent by the provincial taxpayer;
- Recycling is a third-rate strategy when compared to avoiding waste material in the first place (reduction), or the second 'R', reusing;
- The blue box is a low capital cost, high operating cost program with dubious potential to capture more than three or four materials at curbside. 1.8 million boxes have contributed a 2% reduction in Ontario's landfill requirements. About one-quarter of this 2%, or one-half of 1% of Ontario's total landfill, is comprised of the metal, glass and plastic containers accepted in the blue box program.

Disposable soft drink containers make up roughly 1% of Ontario's solid waste stream. In other words, the simple requirement for 100% refillable beverage containers would produce a diversion from landfill double that of all containers currently captured within the blue box system. The immediate impact would be a large reduction in the estimated \$20-40 million a year in the operational costs of the blue box system now being borne exclusively by the taxpayer;

- In terms of operational costs the above is the good news, since the blue box is, so far, almost exclusively servicing single-family dwellings, the "easiest" sector to service. The workplace, food service facilities and rural communities are all sectors which have, so far, remained largely unserved due to well understood constraints. Since the blue box is a high operating cost system, the costs will get dramatically higher as we push into the different sectors. The public has been denied clear and candid information on the real costs of recycling and its inferiority for all of the reasons stated above, to a comprehensive application of reduction and reuse. The above is a classic example of the way in which a special interest can negatively influence public policy in pursuit of its own narrow goals.

None of the numbers, percentages or dollar values quoted in this brief can be guaranteed as being accurate. In light of the mixed motives alluded to in the preceding points this is quite understandable, as the key players seem intent on narrowing the scope of debate.

#### **Some Additional Points of Interest**

- Soft drink industry funding for the "blue box" through OMMRI has amounted to \$20 million over four years. Even if you accept this as credible, the industry's share of the combined capital and operating costs for a typical municipal blue box program is less than 10%.

However:

- a favourable tax ruling— the substance of which OMMRI refuses to divulge— may reduce the actual cost-impact on the industry by as much as half. The balance is actually forgone corporate taxes at both the provincial and federal levels. In other words, they're playing, at least partially, with taxpayer dollars;
- beyond easily identified capital grants, there is not a shred of evidence that anyone held OMMRI accountable for how this money has been spent;
- when a municipality seeks one-third capital funding for a blue box program from the MOE, it must guarantee the collection of three materials— typically, newsprint, cans and glass containers. To get one-third capital funding from OMMRI, municipalities must guarantee the collection of an additional material— empty PET plastic pop containers. Invariably, the municipalities feel compelled to say yes to PET in order to obtain start-up funds. PET can cost \$1500/tonne to collect and nets only \$300/tonne sales revenue. Over the life of the program, higher operating costs will more than cancel any short term financial benefit gained by OMMRI's capital contribution. The real question is— who's running this program?

PET bottles, by the way, could be the easiest container to eliminate under a more stringent refillable policy and no domestic market exists for recycled PET;

- the original argument that the blue box could be made economically viable—i.e., not just a way to shift costs from the soft drink industry onto the backs of the taxpayer—rested on the premise that the aluminum beverage can would become dominant in the Ontario marketplace. At \$1500 to \$2000/tonne this seemed like a compelling argument. However, this never happened—aluminum today is a very small portion (2%) of the material captured in blue boxes, so much so that few communities can afford the \$200,000 plus required for separation equipment. This, combined with the lag in demand for newsprint, and the unforeseen requirement to totally decontaminate and colour-separate glass, has created a financial nightmare for municipalities that is totally at odds with the MOE's and the industry's contentions;
- far from being the "backbone" of recycling (as quoted by Jim Bradley in the Globe and Mail, April, 19, 1990), the mindless proliferation of avoidable waste containers is the "back-breaker" of the municipal effort to run effective and affordable recycling programs. Recycling "more" is a pointless exercise when reduction and reuse alternatives go wanting.





RECEIVED

MAY 18 1990

2.

CITY CLERKS

The Town of Richmond Hill

P.O. Box 300, 10,266 Yonge St.  
Richmond Hill, Ontario  
Canada L4C 4Y5  
Tel: (416) 884-8101  
Fax: (416) 884-7491

May 7, 1990

Attention: Municipal Clerk

Dear Sir/Madam:

Re: Road Improvements

Council of the Town of Richmond Hill at its meeting held on April 30, 1990 enacted the following resolution:

"WHEREAS the Government of the Province of Ontario collects substantial amounts of taxes from the sale of fuel for motor vehicles in Ontario;

AND WHEREAS the revenues collected from fuel taxes form part of the General Revenues of the Province of Ontario;

AND WHEREAS the vehicles that utilize the fuel purchased cause considerable deterioration to the roads in Ontario;

AND WHEREAS the maintenance, construction and repair of the majority of the roads in the Province of Ontario is the responsibility of the Municipalities of Ontario;

NOW THEREFORE be it resolved that the Government of the Province of Ontario be petitioned to make available to Municipalities 1% of the total tax received from the sale of fuel in the Province of Ontario for Municipal Road Improvement programs;

AND that the Honorable David Peterson, Premier of Ontario, the Honorable William Wrye, Minister of Transportation, and the Honorable Gregory Sorbara, Minister of Consumer and Commercial Relations be requested to endorse and implement this recommendation and that copies of this motion be forwarded to all Municipalities in the Province of Ontario, as well as to the Association of the Municipalities of Ontario and the Ontario Good Roads Association for their endorsation and support."

Municipal Clerk  
May 7, 1990  
Page 2

Given that the Province of Ontario collects fuel taxes and those taxes go into the general reserve of the Province, and given that vehicles that utilize the fuel not only run on Provincial but also on Municipal Roads, then it is the feeling of the Council of the Town of Richmond Hill that 1% of the total of the fuel taxes received by the Province should be paid directly to the municipalities in the Province of Ontario to assist them in maintaining and upgrading their local road system.

The Town of Richmond Hill requests your support to this resolution and hopes that your Council will indicate that support to the Province of Ontario.

Yours truly,

A handwritten signature in cursive script, appearing to read "C. D. Weldon".

C. D. Weldon,  
Chief Administrative Officer

CDW:d1m

*The Board of Education for the City of Hamilton  
Le Conseil de l'éducation de la ville de Hamilton*

11.

100 Main Street West, P.O. Box 2558  
HAMILTON, Ontario, CAN. L8N 3L1

Telephone (416)527-5092  
Fax (416)521-2537



100, rue Main ouest, C.P. 2558  
HAMILTON (Ontario), CAN. L8N 3L1

Téléphone (416)527-5092  
Fac-similé (416)521-2537

Office of the Chairman

Bureau de la Présidente

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1990 05 18

MAY 24 1990

CITY CLERKS

Mr. K. E. Avery  
City Clerk  
The Corporation of the City of Hamilton  
City Hall  
Hamilton, Ontario L8N 3T4

Dear Mr. Avery

In reply to your letter of 1990 05 09, inviting the Hamilton Board of Education to join with the City in presenting a "mock" invoice to the Provincial government, the Board held a special Caucus to consider this request. After careful consideration, the Board decided that it did not wish to act upon this invitation.

The Board acknowledges the validity of the property tax concerns expressed by City Council and has decided to pursue those concerns through its usual lines of communication. These involve direct communication with the Ministry of Education, our M.P.P.'s and the Standing Committees of the Legislature. In addition, the Board shall continue to present its concerns through the lobbying efforts of the Ontario Public School Boards' Association and the Ontario Public Education Network. In the past, the Board has found these avenues to provide an effective means of bringing the Board's concerns to the attention of the Legislature.

The Board appreciates the invitation from the City Council and hopes that the complementary initiatives by the City, Region and Board will have positive results for the taxpayers of Hamilton.

Yours truly,

*R. Millar*

*for*

Mary Caye Clarke  
Chairman

rm





THE REGIONAL MUNICIPALITY OF HAMILTON-WENT

Office of the Clerk  
119 King Street West, 15th floor  
Hamilton, Ontario

526-4154

12.

Refer to File No.  
Attention of  
Your file No.

May 16, 1990

Mr. Keith Avery  
Clerk  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8P 1H4

Dear Mr. Avery:

**Re:           Application to the Federation of Canadian Municipalities (F.C.M.) for financial assistance under the "Affordability and Choice Today" (A.C.T.) program (PLA 90-055)**

Subjoined, please find Item 8 of the Economic Development and Planning Committee Report 9-90, which was adopted by Regional Council at its meeting held on Tuesday, May 15, 1990.

8.     **Application to the Federation of Canadian Municipalities (F.C.M.) for financial assistance under the "Affordability and Choice Today" (A.C.T.) program (PLA 90-055)**
- a)     That Regional Council endorse an application to the Federation of Canadian Municipalities for \$10,000, the maximum grant available under the Streamlined Approval Process project, to assist in the review, refinement and documentation of internal development review procedures within the Regional Planning Branch of the Planning and Development Department;
  - b)     That the Director of Regional Planning be designated as the Signing Officer, and the Head-Plans Administration Division as the Project Co-ordinator;



- c) That the Ministry of Municipal Affairs and all Area Municipalities be advised of Council's decision.

Yours truly,

A handwritten signature in cursive script, reading "Mary Gallagher".

Mary Gallagher  
Secretary  
Economic Development and Planning Committee



THE REGIONAL MUNICIPALITY OF HAMILTON-WENT

Office of the Clerk  
119 King Street West, 15th floor  
Hamilton, Ontario

526-4154

13.

May 16, 1990

Refer to File No.  
Attention of  
Your file No.

Mr. Keith Avery  
Clerk  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8P 1H4

Dear Mr. Avery:

Re: **Application to the Federation of Canadian Municipalities (F.C.M.) for financial assistance under the "Affordability and Choice Today" (A.C.T.) program (PLA 90-055)**

Subjoined, please find Item 9 of the Economic Development and Planning Committee Report 9-90, which was adopted by Regional Council at its meeting held on Tuesday, May 15, 1990.

9. **Request by the City of Hamilton for the Region to endorse a request to the Ministry of Municipal Affairs re: Second Stage of Funding for their Central Business District Study (PLA 90-056)**
- a) That the Ministry of Municipal Affairs be informed that Regional Council endorses the application by the City of Hamilton for the second stage of funding for their Central Business District Study;
  - b) **That the City of Hamilton be informed of the endorsation and forwarded a copy of report PLA 90-056.**

Yours truly,

*Mary Gallagher*  
Mary Gallagher

Secretary  
Economic Development and Planning Committee

Encl.



THE CORPORATION OF THE  
CITY OF WINDSOR

14.

THOMAS W. LYND, A.M.C.T.  
CITY CLERK



OFFICE OF THE CLERK

255-6215

FAX: (519) 255-6868

IN REPLY, PLEASE REFER  
TO OUR FILE No. ~~MN~~ T/90

May 22, 1990

TO ONTARIO CITIES WITH POPULATIONS OVER 25,000:

Windsor City Council at its meeting held May 14, 1990 considered the attached report from the Commissioner of Works and adopted the following resolution:

"714/90 That the Minister, Transport Canada BE PETITIONED to amend the Railway Act to provide for approval and certification of municipal Anti-Whistling By-laws by the Railway Safety Director, Transport Canada or the Railway Infrastructure Director, National Transportation Agency of Canada similar to the previous legislation for totally protected crossings save and except for emergency situations to reduce the noise pollution in residential neighbourhoods and to allow the railway companies to accede to the requirements of the anti-whistling by-laws, and further, copies of Council's resolution BE SENT to the Railway Safety Directorate, Transport Canada and the National Transportation Agency of Canada for their information and support and to local Members of Parliament, Federation of Canadian Municipalities and Cities in Ontario for endorsation, support and interventions to the Minister, Transport Canada."

I have written to the Minister, Transport Canada and the Railway Safety Director, Transport Canada, and the Railkway Infrastructure Director, National Transportation Agency of Canada, urging amendment to the Railway Act to return the legislation to its previous form to allow for certification of municipal anti-whistling by-laws to require railways to not sound whistles at fully protected crossings except in emergency situations.

....2

- 2 -

Since you are aware of the problems which this whistling can cause, your support of Council's resolution and interventions to the Minister will be appreciated.

Yours very truly,

A handwritten signature in dark ink, appearing to read "T. M. [unclear]", written in a cursive style.

City Clerk

TL/11

att.



DATE: April 20, 1990  
 TO: City Administrator  
 FROM: Commissioner of Works  
 RE: COUNCILLOR PORTER'S QUESTION BQ7-90(C) - ANTI-WHISTLING

AIM:

The aim of this report is to bring Council up to date on the anti-whistling in Windsor and to make a recommendation.

BACKGROUND:

At Budget session on April 5, 1990, Councillor Porter:

"Asks for a full report before the end of budget sessions on the status of the City's anti-whistling bylaw including comments from Members of Parliament."

COMMENTS:

Attached are copies of letters from our members of Parliament that have resulted from the anti-whistling questions that commenced with the Section 119 Yard Relocation Application of the C.P.R. and C.N.R. In 1988 Council passed its proposed anti-whistling by-law for this area, only to be told in December of 1988 by the National Transportation Agency that three additional crossings would have to be protected before an anti-whistling by-law could be certified by them. In January 1989, the new Railway Act came into force creating a bureaucracy without policies and procedures in place. The Act split what was the National Transportation Agency into two distinct areas, The Railway Safety Directorate, Transport Canada (looking after all applications for grants) and the Rail Infrastructure Directorate, National Transportation Agency of Canada (looking after disputes and safety issues).

In January, 1990, we were finally able to talk with representatives of the organization (the Railway Safety Directorate, Transport Canada) who are dealing with our most recent application for an Order to protect the E.T.R. at Howard (a needed protection for anti-whistling at the E.T.R. and Howard). During these conversations and as a result of procedures finally being finalized, between the N.T.A. and Transport Canada as a result of the new Railway Act, we received information that the N.T.A. or Transport Canada did not certify Anti-Whistling Bylaws anymore. It was noted that they reviewed proposed Anti-Whistling Bylaws and comment on the crossing safety, however, they do not certify the Bylaws and they "do not relieve the Railway of their whistling requirements under the Act" as they did prior to the revised Railway Act of 1989. As the N.T.A. and Transport Canada put it, "Anti-Whistling is an agreement between the Railway concerned and the Municipality concerned."

With this information, we telephoned C. Wendtland, General Solicitor, Canadian Pacific Legal Services, and received verbal information on C.P.R.'s general position on anti-whistling under the new Act. We immediately wrote Mr. Wendtland (copy of letter attached), for written confirmation of C.P.R.'s position.

We now have Mr. Wendtland's answer:

"This will confirm that C.P.R. will only recognize municipal Anti-Whistling By-laws that have been approved by orders of the Canadian Transport Commission or the National Transportation Agency. As you are aware, this practice is no longer being followed due to the repeal of certain provisions in the Railway Act."

We regret, therefore, that we cannot accede to the City of Windsor's Anti-Whistling request as we are of the view that we are not sufficiently protected, from a liability standpoint, in the absence of an order from either Transport Canada or the National Transportation Agency.

We are currently reviewing several different solutions to this matter, both internally and with Transport Canada, and hope to report of progress in the near future.

Our Division Engineer, Bill Steckman, advises that, with respect to the crossing at Parent Avenue, the signal installation work will not be commenced without a purchase order from the City."

The new legislation, we believe was framed in such a manner as to remove Transport Canada and the National Transportation Agency from any form of litigation at railway crossings. This is why, in our opinion, the organization will not certify nor exempt the Railway from blowing their whistles at all crossings. This leaves the liability exposure from the Railway's standpoint at too great a level not to whistle even if the crossing is totally protected.

Because of the position being taken by the C.P.R. under the new legislation, at this time it is of no benefit for the City of Windsor to spend money on upgrading protection at crossings for anti-whistling alone as, at this time we cannot get it.

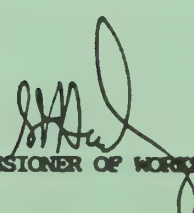
With this in mind and in an attempt to aid the railways in their discussions to secure the needed exemption from whistling at a totally protected crossing, we make the following recommendations.

RECOMMENDATION:

That Council DIRECT THE CLERK to circulate other Municipalities throughout Ontario in an attempt to obtain their concurrence in the following Resolution, and

FORWARD the following resolution to Transport Canada and our Members of Parliament for their support.

"The Railway Safety Directorate, Transport Canada, the Railway Infrastructure Directorate, National Transportation Agency of Canada, and your members of Parliament be petitioned to address the concerns and laws of whistling at a totally protected crossing in order to reduce the noise pollution in residential neighborhoods of Municipalities and allow railways to accede to anti-whistling by-laws in those Municipalities, by reverting back to the old method of certifying anti-whistling by-laws as the National Transportation Agency did in the past and exempt the railway from whistling at totally protected crossings save and except for emergency situations."

  
COMMISSIONER OF WORKS

  
H.G. PAYNE, P. ENG.  
CITY ADMINISTRATOR





## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its SEVENTEENTH Report for 1990 and respectfully recommends:

1. That in order to provide the amount required to fund the 60% Spousal Benefit for HMRF Firefighter members in the amount of \$1 018 000, the rate of employer (City) contributions for the Hamilton Municipal Retirement Fund (HMRF), for firefighters, be increased from 5.75% to 9.08% effective January 1, 1991, subject to the Treasurer receiving the Actuarial Surplus position from the Actuaries as at December 31, 1989, of the HMRF and reporting back to the Finance and Administration Committee later in 1990.

NOTE: A costing was received from the Wyatt Co., Actuaries, for the Hamilton Municipal Retirement Fund. Based on implementation of the 60% Survivor's Benefit as the basic benefit in the Fund for all firefighters retiring after January 1, 1989, the cost is \$868 000.

By including retired firefighters in 1988, the liability increased to \$1 018 000. This would result in the HMRF being in an unfunded liability position of \$907 000.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary  
1990 May 15  
/bc





## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its EIGHTEENTH Report for 1990 and respectfully recommends:

1. That purchase orders be issued for the replacement of five (5) 1/2 ton pickup trucks for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders, as follows:
  - (a) Carter G.M. Trucks, Hamilton  
In the amount of \$31 815.72 to replace Units #9312/3
  - (b) Holland Chevrolet Oldsmobile Inc., Burlington  
In the amount of \$52 060.32 to replace Units #9027/8 and to purchase one new vehicle

NOTE: Lowest of three (3) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101 (\$66 522.60) and Traffic Operating Account No. CH58002 75120 (\$17 353.44).

2. That a purchase order be issued to Contran Manufacturing (1982), London, in the amount of \$107 998 for the supply and installation of two (2) Fire Package bodies on two triple combination pumpers for the Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal.

NOTE: Lowest of two (2) proposals received. Funds provided in Major Vehicle Repair Account No. CH25200 00103.

3. That permission be granted to the Y.W.C.A. to use the City Hall forecourt for their annual Strawberry Festival on Thursday, 1990 June 21 from 11:00 o'clock a.m. to 4:00 o'clock p.m. including the use of the following equipment:
  - (a) City Van to transport tables to and from Y.W.C.A.
  - (b) City Hall chairs
  - (c) Sound system
  - (d) Piano and extension cord
  - (e) Approval to distribute information flyers through the City Hall building

4. That permission be granted to the Mass Media Committee of the United Way of Burlington, Hamilton-Wentworth to have a campaign thermometer erected in front of City Hall from 1990 September 12 to December 6 during the annual United Way Fund Raising Campaign.
5. That the request of the Hamilton Christian Fellowship for permission to use the City Hall forecourt and first floor washroom facilities for outdoor celebration and dance services on Friday, 1990 June 29 and Friday, 1990 July 27 from approximately 7:00 p.m. to 10:00 p.m., be approved.
6. That the request of the Korea Veterans Association of Canada to fly the national flag of the Republic of Korea at City Hall during the week of 1990 June 24 to June 30 in recognition of National Korea Week, be approved.
7. That the request of the Hamilton and District Labour Council C.L.C. to fly the C.L.C. flag at City Hall during the week of 1990 September 3 to September 7 in recognition of Union Label Buying Week, be approved.
8. That civic gold pins and civic gold rings be awarded to the following members of the Mountain Lanes Junior Boys Five-Pin Bowling Team for winning the Provincial Championship on 1990 March 18 and the National Championship in Thunder Bay, Ontario, on 1990 May 1:

Drew Arnold  
Mark Masters  
Martin Taylor  
Brock Hill  
Michael Zajac  
Larry Bixby - Coach

9. (a) That civic gold rings and civic gold pins be awarded to the following members of the Hamilton Zone "E" Mixed Five-Pin Bowling Team for winning the 1990 Canadian Youth Challenge Tournament and the 1990 Ontario Youth Challenge Mixed Team Championships:

Tim Biggs  
Scott Hill  
Darryl Holditch  
Chrystine Pilon  
Stephanie Tuck  
Connie Dreher - Coach

- (b) That civic gold pins be awarded to the following members of the Hamilton Zone "E" Men's Five-Pin Bowling Team for winning the 1990 Ontario Youth Challenge held in Orillia, Ontario on 1990 April 7:

Doug Denbury  
Brian Labelle  
Paul Harse  
Bob Jones  
Brent Flynn  
Rob Ward - Coach

10. That a civic silver pin be awarded to Theresa Wolf for winning the Ontario Elite Gymnastics Championship held in Whitby, Ontario on 1990 April 20-22.

11. That permission be granted to the Canusa Games Directors to set up and sell from a display of fundraising items (T-Shirts, Sweatshirts and Jammers) on the second floor concourse level, Hamilton City Hall on Wednesday, 1990 May 30 from 9:00 o'clock a.m. to 5:00 o'clock p.m. to raise money for the 1990 Canusa Games.

NOTE: In order to raise the necessary monies required to send our athletes to Flint, Michigan this year, the Canusa Games Directors find it necessary to fundraise to offset the increasing costs of the annual Games.

This event would be held the same day as Fit Day, and give additional exposure to the Canusa Games.

12. (a) That approval be given to establish a Fit Day Headquarter outside the Aldermen's offices (east side) for a display from 1990 May 25 to May 31; and,
- (b) That approval be given to use Room 264 for the day of 1990 May 30, Fit Day, from 8:00 a.m. to 10:00 p.m.
13. (a) That Section 16 (a)i of Market By-law 81-180 be amended to allow the extension of hours for unloading produce on non-market days from 2:00 p.m. until 5:00 p.m. instead of 3:00 p.m. to 5:00 p.m.; and,
- (b) That the City Solicitor be directed to prepare an amendment to Section 16 (a)i of Market By-law 81-180 to reflect this extension of hours.



14. (a) That a special class of Wheelchair Accessible Integrated Taxicab licence be created;
- (b) That five (5) special Wheelchair Accessible Integrated Taxicab licences be authorized for issuance through the City's Taxicab Priority List;
- (c) That Section 3. (d) of Part I of By-law 89-249 respecting the issuance of 5 Taxicab Owner licenses for 1990 be repealed;
- (d) That special terms and conditions, as attached herewith and marked Appendix "A", be approved for this special class of licence; and,
- (e) That the City Solicitor be directed to prepare the necessary amendments to By-law 89-249.

NOTE: This special class of licence would be reduced from a regular licence fee of \$3 000 to \$250. The annual renewal fee would remain consistent with regular licences at \$175 (1990 rate).

15. (a) That the City Treasurer arrange to publish on one occasion the required 1989 financial statements, based on the audited report, in The Hamilton Spectator as soon as possible and in accordance with regulation provided by the Ministry of Municipal Affairs, but in any event, within sixty days of receiving the audited statements according to a regulation of the Ministry of Municipal Affairs; and,
- (b) That selected statements of the 1989 audited Financial Report be printed in brochure type report form for distribution to banks, other financial institutions and other interested parties.

NOTE: For the information of the Members of City Council, the Finance and Administration Committee heard a presentation from the City's Auditor, Pannell Kerr MacGillivray, and adopted the 1989 Financial Report. Copies of this Report have been sent to all Members of City Council for their information.

16. That the total 1989 current fund overdrafts for amounts in excess of \$5 000 in the amount of \$2 561 593.74, which have originated during 1989 November and December, and are itemized as attached herewith and marked Appendix "B", be approved.



17. (a) That the City Solicitor be authorized to make an application to the Ontario Municipal Board for approval of the Crown Point West/Stipeley Phase II P.R.I.D.E. Program at a gross cost of \$700 000 with 50% funding in the amount of \$350 000 to be provided by the issuance of debentures not to exceed 20 years, recoverable from the mill rate levied on all rateable property; and,
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$350 000 for a term not to exceed 20 years; and,
- (c) That the interim funding of \$50 000 from the Reserve for Capital Projects previously approved for the above project be rescinded (Item 4(b) of the Eleventh Report of the Co-ordinating Committee adopted by City Council 1990 May 30).
18. That the Chief Administrative Officer be authorized to take the actions necessary to assemble the Project Team for the replacement Property/Taxation System as approved by the Information Systems Committee in Section 1 of its Third Report for 1990 being presented to City Council on 1990 May 29.
19. That outstanding Accounts Receivables and Civic Properties Rental Arrears totalling \$18 931.86 be written off and charged to Account No. CH 15401 00001, Allowance for Doubtful Accounts.

NOTE: Copies of the Schedules listing the recommended write-offs were distributed to Members of the Finance and Administration Committee. Additional copies are available from the Committee Secretary upon request.

20. That an amount of \$500 be made available from Account No. CH55307 80040, Hosting of Conferences with Municipal Subject Content, for the purpose of extending hospitality to delegates attending the 1990 National Safety Conference with a view to promoting attendance at the 1991 Conference which will be held in Hamilton.

NOTE: City Council at its meeting held 1990 February 27 authorized the attendance of the Chairman or his designate at this year's Conference which is being held in Halifax, Nova Scotia 1990 June 3 - 5. (Alderman Drury will be attending as the Chairman's designate).

21. That a grant in the amount of \$700 be made to the Hamilton Public Library to assist in the hosting of the 7th Annual Meeting of the North American Dobis Users Group, and in particular, to assist in the hosting of a Civic Luncheon to be held on Friday, 1990 June 1.

NOTE: Funds are provided in Account No. CH 55307 80040, Hosting of Conferences with Municipal Subject Content.

22. That a grant in the amount of \$5 000 be made to the Ontario Building Officials Association to assist in staging and hosting the Ontario Building Officials Association annual meeting and technical conference to be held in Hamilton on 1990 June 24 to 29.

NOTE: The conference is jointly sponsored by the Ontario Building Officials Association (O.B.O.A.) and the Building Officials and Code Administrators (B.O.C.A.) and will include meetings of the World Organization of Building Officials (W.O.B.O.) and the Canadian Council of Building Officials (C.C.B.O.).

Funds are provided in the Hosting of Conferences with Municipal Subject Content, Account No. CH55307 80040.

23. That expenses, at an amount not to exceed \$3 450, associated with promoting the Institutional and Municipal Parking Congress Convention for Hamilton within the next four to six years, and to assist with the promotion of the Canadian Parking Association Convention which is already occurring in Hamilton in the Fall of 1991, be approved.

NOTE: Funds are provided in the Hosting of Conferences with Municipal Subject Content, Account No. CH55307 80040.

24. For the information of Members of City Council, the Finance and Administration Committee have appointed a Street Vendors Sub-Committee to examine all aspects of the Street Vendors Programme and report back. The Sub-Committee will be comprised of Alderman Merling, Alderman Murray and up to five (5) representatives from the Downtown B.I.A.

25. (a) That an Option to Purchase the property known as 263 King Street West, duly executed by Hess Village Variety Limited, Mr. Ercument Akyildiz, President, on 1990 April 19 and scheduled for closing on or before 1990 July 20, be approved and completed.
- (b) That the appropriate City officials execute all required documents.

NOTE: The property is composed of part of Lot 6, fronting on King Street West in the block bounded by Caroline Street South, King Street West, Hess and George Streets, according to G.S. Tiffany Survey, municipally known as 263 King Street West, being a rectangular shaped parcel of land, having a frontage on the south side of King Street West of 21.235 metres (69.67 feet) and comprising an area of 508.79 square metres (5 476.5 square feet) more or less, more particularly described as Part 1, Registered Plan 62R-5660 and Part 1, Registered Plan 62T-5833, outlined on the attached plan, save and except Parts 1 and 2 on Reference Plan 62R-9352, conveyed to the Regional Municipality of Hamilton-Wentworth by Instrument No. 449302 CD.

The purchase price of \$300 000 is to be charged to Account No. CH5X303 00202, Reserve for Off Street Parking.

26. That the 1990 rates of pay for the positions of Playlot Leader, Camp Counsellor, Tennis Instructor and Youth Leader be set at:

- (a) Step 1 - \$6.00 per hour
- (b) Step 2 - \$6.15 per hour
- (c) Step 3 - \$6.30 per hour

NOTE: These amounts will be funded within the 1990 Operating Budgets of the Culture and Recreation Department.

27. That the salary classifications for the following non-union positions within the Parks Division of the Department of Public Works be approved:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Parks Development Co-ordinator	Co-ordinates the Parks Development section. Prepares and presents technical reports, studies, plans, policies and by-laws.	I	\$49,972.52 - \$58,883.24
Supervisor of Landscape Development	Supervises the construction of parks development and re- development.	M	\$36,125.44 - \$42,507.40

NOTE: The salaries for the two positions can be accommodated from within the existing budget for the Department of Public Works.



28. That the salary classifications for the following positions in the Traffic Department be approved as outlined below:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Manager of Legislation and School Traffic	To manage the Legislative and School Traffic sections of the Traffic Department.	J	\$47,805. - \$56,355.

NOTE: The above salary grade is temporarily assigned, until such time as the Director of Traffic and the Chief Administrative Officer have assessed the integration of the school crossing program into the Traffic Department.

School Crossing Co-ordinator	To manage the day-to-day operations of the school crossing program.	M	\$36,125 - \$42,507.
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NOTE: Funding for these positions is provided within the Traffic Department Budget.

29. (a) That the benefit package for Hamilton City Council Members be updated to include the increased benefits approved for employees covered by the Collective Agreement entered into by The Corporation of the City of Hamilton and Local 167, C.U.P.E.; and,
- (b) That in the future, when an enhanced benefit package is approved by City Council for Local 167, C.U.P.E., those enhanced benefits shall be automatically passed on to Hamilton City Council Members, provided that such benefits are allowed to Hamilton City Council Members under the terms of the plans.

NOTE: There are no financial implications in 1990, due to the fact that we are on an Administrative Services Only program. This Administrative Services Only program is experience rated and the costs are distributed evenly over all employees.

30. That the City of Hamilton endorse the following resolution of the City of Brampton respecting door-to-door mail delivery:

"That the City of Brampton only accept door-to-door mail delivery and we reject all other forms of mail pickup and this resolution be circulated to all communities over 25,000 population and to our local M.P.'s John McDermid and Harry Chadwick."

31. That the City of Hamilton endorse the following resolution of the County of Oxford respecting retroactivity on the Employer Health Tax:

"Whereas labour negotiations in essential services are often settled through arbitration.

Whereas such Arbitration Awards are not always made during the current fiscal year resulting in retroactivity on wages.

Whereas the Employer Health Tax became effective January 1, 1990.

Therefore, be it resolved that the Ministry of Revenue be petitioned to waive the Employer Health Tax Assessment on retroactive wages for the years prior to January 1, 1990."

32. (a) That the City of Hamilton provide \$800 towards the cost of a joint reception with the Board of the Hamilton Philharmonic Orchestra; and
- (b) That funds be provided from the Unclassified Account No. CH55194 24201.
33. (a) That the previously tabled grants, as attached herewith and marked Appendix "C", with a total recommended grant amount of \$57 020 be approved; and,
- (b) That these grants be funded from within the appropriate Grant Account No. CH5AXXX 200XX.
34. (a) That a grant in the amount of \$15 000 be made to the Hamilton Minor Football Association; and,
- (b) That funds for this grant be provided from an approved overdraft in the appropriate Grant Accounts No. CH5AXXX 200XX.
35. (a) That a grant in the amount of \$400 be made to the Mount Hamilton Horticultural Society; and,
- (b) That funds for this grant be provided from the appropriate Grant Accounts No. CH5AXXX 200XX.



36. That the "Rapid Zap" Defibrillation program submitted in the 1990 Current Budget service/program package be approved.

NOTE: To place twelve of these units into service, \$116 000 is required in 1990. Funds are available within the 1990 Fire Department budget as a result of an unanticipated delay in hiring of additional approved staff. An annual operating budget of approximately \$20 000 (including a provision for replacement) is anticipated commencing in 1991.

37. That the City Solicitor be authorized and directed to apply to the Chief Judge of Ontario for set fines to enable the City to issue offence notices (tickets) for contravention of the Fireworks By-law.

NOTE: The Fireworks By-law is being presented to City Council for approval at its meeting of 1990 May 29.

38. That the request of Amnesty International, Hamilton Group, for permission to use the City Hall forecourt and first floor washroom facilities on Saturday, 1990 June 16 from approximately 10:30 a.m. to 12:30 noon for a public rally to protest human rights abuses in China, be approved.

39. (a) That approval be given to Don Cherry's Grapevine to rent space and construct a temporary summer patio on the south-west corner of the municipal carpark at Main and Ferguson Streets; and,
- (b) That an agreement for this approval be made to the satisfaction of the City Solicitor.

NOTE: The proposed temporary summer patio will be placed on City property not containing any parking spaces. The Parking Authority, at its meeting held 1990 May 18, approved the above-noted patio request.

40. (a) That a one time only grant in the amount of \$25 000 be given to the Cari-Can Festival to assist in offsetting their deficit; and,
- (b) That funds for this grant be provided from an approved overdraft in the appropriate Grant Accounts No. CH5AXXX 200XX.

41. That the City make an offer to settle Supreme Court action 6507/89 in the following terms:

- (a) That the City offer to pay the Plaintiff the sum of \$35 331.64 inclusive of interest and costs.
- (b) That the offer to settle remain open for acceptance until withdrawn or until the commencement of trial whichever first occurs.

42. That the City make an offer to settle Supreme Court action number 3080/87 in the following terms:

- (a) That the City pay \$4 500 for damages;
- (b) That the City pay pre-judgment interest on the said sum to the time of acceptance of the offer;
- (c) That the City pay the Plaintiff's party and party costs to be taxed;
- (d) That the City pay \$500 to all Family Law Act claimants;
- (e) That this offer be open to the commencement of trial.

43. That leave be granted to introduce the following Bills:

- (a) Bill A-31 A By-law to Amend Procedural By-law No. 82-203, as amended and To Repeal By-law No. 79-86, as amended Respecting Hearings by Committees of Council.
- (b) Bill A-32 A By-law Respecting Designation of "Head" for the Purposes of The Municipal Freedom of Information and Protection of Privacy Act, 1989.
- (c) Bill A-33 A By-law Respecting Assumption of Legal Costs City of Hamilton vs. Baldasaro et al.
- (d) Bill A-34 A By-law to Amend Market By-law No. 81-180.
- (e) Bill A-35 A By-law Respecting Fireworks.

(f) Bill A-36 A By-law to Confirm the Proceedings of the Council of  
the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder  
Acting Secretary  
1990 May 24  
/bc

Wheelchair Accessible Taxicab Licences would be subject to the conditions and requirements as outlined below.

- (1) The authorized vehicle be required to be specially equipped for their purpose and in accordance with the provincial and C.S.A. specifications.
- (2) Minimum two wheelchair and maximum three ambulatory passengers requirement, excluding driver.
- (3) Taxi meter rates would be used.
- (4) An initial licence fee of \$250.00 (currently \$3,000.00) would be charged.
- (5) Annual licence renewal fee: \$175.00 (1990) would remain the same.
- (6) Applicants must comply with all provisions of By-law 89-249, including the provisions required under the Taxicab Priority List.
- (7) Requirement for non-transferability to remain at 5 years and can only be sold as Wheelchair Accessible Taxicab. The applicant and any subsequent owners must agree to continue service for the disabled in accordance with the proposed by-law.
- (8) Leasing would be permitted.
- (9) Specified hours of operation are proposed for a 7-day week: 6:00 a.m. - 1:30 a.m. Monday through Saturday and 7:30 a.m. - 12:00 p.m. Sunday.
- (10) Annual special safety inspection over and above regular taxicab inspection.
- (11) Special Taxicab Dispatch requirements would be mandatory for any brokerage.
- (12) Special Taxicab Driver training requirements.
- (13) Priority Service to disabled must be included in the proposed by-law.
- (14) The applicant with this "Special Class" of licence would be required to operate a fully integrated wheelchair accessible vehicle; failing to do so, the licence would be required to be returned to the City.





### SPECIAL REGULATIONS FOR ISSUANCE FROM THE TAXICAB PRIORITY LIST

- (a) Applicants would be notified to perfect their application in the order in which their name appears on the Taxicab Priority List.
- (b) Any applicant not wishing to submit an application for consideration would be bypassed and his/her name would be left in its present position.
- (c) Successful applicants would be required to put all necessary equipment in service within 8 weeks from the date of approval by the City of Hamilton Licensing Committee. Applicants must agree to provide authenticated proof from the manufacturer or deliverer of any delay in delivery.
- (d) That there be an mechanism for applicants to return the licence to the City and have his/her name restored to the Taxicab Priority List following a 2-year trial period. The return of a licence would be permitted under certain circumstances, such as a medical condition which would not allow the licensee to continue or financial hardship.



Appendix "B" as referred to in  
Section 16 of the EIGHTEENTH Report  
of the Finance and Administration  
Committee for 1990.

City of Hamilton

Treasury

Overdrafts over \$5,000  
to be authorized by City Council  
for the year ended 1989

DEPARTMENT (1)	ACCOUNT NUMBER (2A)	CENTRE NUMBER (2B)	DESCRIPTION (3)	APPROPRIATION (4)	EXPENDITURES (5)	OVERDRAFT (6)	REQUEST FOR OVERDRAFT APPROVAL (7)	EXPLANATION (8)
Mayor's Office	56128	10001	Mementoes	30,000.00	43,654.34	(13,654.34)	(13,654.34)	Increase gifts & mementoes for VIP's, convention promotion requests, association events & "Goodwill Ambassadors" travelling abroad
City Clerks-Administration	56004 56302	12001 12001	Postage Advertising & Promotion	34,400.00 68,610.00	53,252.95 92,227.68	(18,852.95) (23,617.68)	(42,470.63)	High # zoning circulars & registered mailings Advertising of zoning by-laws over estimate
Transfer to Reserves	54115 54118	23001 23001	Accumulated Sick Leave Workers' Compensation	700,000.00 665,740.00	1,049,292.80 1,001,888.98	(349,292.80) (336,148.98)	(685,441.78)	More early retirements than anticipated MCB costs are rising; accounts realigned
Tax Remissions		24104	Total Activity	1,274,140.00	1,742,058.59	(467,918.59)	(467,918.59)	More activity than anticipated
Reduced Fare Bus Pass		24150	Total Activity	3,483,570.00	3,566,364.74	(82,794.74)	(82,794.74)	Seniors \$8k+; Group A \$34k+; Conven Pass \$40k+
Unclassified Expenditure		24200	Total Activity	75,000.00	80,638.63	(5,638.63)	(5,638.63)	Various underestimated requirements
Treasury-Taxation	56001	25335	Office Supplies	36,760.00	47,670.55	(10,910.55)	(10,910.55)	Underestimated requirements-purch of tax bills
Info Sys-Processing	56103 56605	26020 26020	Operating Supplies Rent-Computer Equipment	93,900.00 900,330.00	103,325.13 957,322.56	(9,425.13) (56,992.56)	(66,417.69)	Incr'd print line volume-recovery from users Computer upgrade installed in 1989
Info Sys-Communication	56111	26022	Terminals and Cables	10,450.00	24,226.00	(13,776.00)	(13,776.00)	Additional terminals installed at Region
Info Sys-Data Processing	56103	26025	Operating Supplies	400.00	7,834.82	(7,434.82)	(7,434.82)	20% increase in print line volume
Info Sys-Workstations	56099 56605	26030 26030	Software-City Rent-Computer Equipment	15,140.00 511,150.00	74,536.73 565,490.06	(59,396.73) (54,340.06)	(113,736.79)	Total Region & City overdraft only \$4,000 Workstation leasing costs-revs from other depts

16-May-90 OVERDFT

City of Hamilton  
Treasury  
Overdrafts over \$5,000  
to be authorized by City Council  
for the year ended 1989

DEPARTMENT (1)	ACCOUNT NUMBER (2A)	CENTRE NUMBER (2B)	DESCRIPTION (3)	APPROPRIATION (4)	EXPENDITURES (5)	OVERDRAFT (6)	REQUEST FOR OVERDRAFT APPROVAL (7)	EXPLANATION (8)
Info Sys-Image Process	56103	26035	Operating Supplies	27,000.00	37,440.56	(10,440.56)	(10,440.56)	Microfilm volume up-additional supply costs
City Garage		27000	Total Division	0.00	44,318.15	(44,318.15)	(44,318.15)	Depreciation provision on replaced vehicles
Purchasing		28000	Total Division	349,700.00	372,010.25	(22,310.25)	(22,310.25)	Regional recoveries lower than anticipated
Property-Maintenance City	57314	31102	Lighting Repair	8,260.00	13,361.97	(5,101.97)		Mkt/Library charged to this acct inadvertently
	57103	31102	Boiler Equipment Repair	46,700.00	63,634.41	(16,934.41)	(22,036.38)	Other contractual services charged to this acct
Community Development		40000	Total Activity	558,950.00	573,798.30	(14,848.30)	(14,848.30)	Benefits over \$9K; Computer/software costs \$8K
City Solicitor		44000	Total Activity	1,494,190.00	1,515,561.65	(21,371.65)	(21,371.65)	Increased fees for outside legal counsel
Streets&Sanitation-Admin	56104	60001	Uniforms, Clothing & Acc.	142,070.00	162,795.02	(20,725.02)	(20,725.02)	Uniforms replaced as needed on 1-for-1 basis
S&S-District Yard Maintenance		60010	Total Activity	881,400.00	1,009,770.61	(128,370.61)	(128,370.61)	O.T. & shift premium due to early snow in Oct
S&S-Third Sector		60502	Total Activity	234,000.00	300,312.80	(66,312.80)	(66,312.80)	Substantial drop in mkt price of paper recycling
Parks		62000	Total Division	8,361,880.00	8,521,374.28	(159,494.28)	(159,494.28)	Unbudgeted expenses re: T1-cat agreement; Chedoke Winter Park-earlier opening/staffing; Unbudgeted expense for 5 new sports fields
Cemeteries-Administration	57301	63001	Building Repairs	7,210.00	16,356.26	(9,146.26)	(9,146.26)	Pipe broke-extension damage to chapel floor
Cemeteries-Sod, Seed & Repair	56398	63125	Contractual Various	18,300.00	24,842.10	(6,542.10)	(6,542.10)	Fertilizer purchased put in wrong account

16-May-90 OVERDFT

City of Hamilton  
Treasury

Overdrafts over \$5,000  
to be authorized by City Council  
for the year ended 1989

DEPARTMENT (1)	ACCOUNT NUMBER (2A)	CENTRE NUMBER (2B)	DESCRIPTION (3)	APPROPRIATION (4)	EXPENDITURES (5)	OVERDRAFT (6)	REQUEST FOR OVERDRAFT APPROVAL (7)	EXPLANATION (8)
Cemeteries-Improvements	57200	63135	Grounds Repair	45,530.00	51,299.90	(5,769.90)	(5,769.90)	Purchase large quantity of soil at good price to repair sunken graves
Central Garage		64000	Total Division	0.00	370,365.79	(370,365.79)	(370,365.79)	Insufficient funds to cover early winter & heavy snowfalls + higher repair costs + increased overtime costs (two 12 hour shifts)
Recreation-Programmed Events	55333	70005	New Years Celebrations	14,500.00	21,219.22	(6,719.22)	(6,719.22)	Promotion changes billed to incorrect account
Recreation-Chedoke Golf Club	56201	70405	Gasoline	330.00	6,171.33	(5,841.33)	(5,841.33)	Insufficient funds to cover vehicle operation
Culture-Childrens Museum	55406	71305	Fees-Consultants'	7,000.00	23,749.75	(16,749.75)	(16,749.75)	Late arrival of Ministry grant
Traffic		75110	Admin-Outside Activities	201,820.00	294,369.43	(92,549.43)	(92,549.43)	Inventory write-offs totalled \$83,586.21
Traffic		75310	Roadway Pavement Markings	69,680.00	75,695.71	(6,015.71)	(6,015.71)	More work units achieved than planned
Traffic		75420	Sign Installation & Mtce	351,840.00	373,311.69	(21,471.69)	(21,471.69)	Higher than planned number of sign assemblies
							(2,561,593.74)	=====





**CITY OF HAMILTON  
1990 TABLED GENERAL GRANTS**

NO. (1)	APPLICANT (2)	REQUESTED RECOMMENDED AMOUNT AMOUNT		PURPOSE OF REQUEST/COMMENTS (5)
		(3)	(4)	
1	DRUM CORPS INTERNATIONAL	5,000	5,000	OFFSET RENTAL COSTS OF IVOR WYNNE AND PROMOTION OF EVENT
2	HAMILTON BOATING CLUB	7,500	2,500	OFFSET BANQUET COSTS OF CDN LIGHTNING ASSOC. OPEN CHAMPIONSHIP-JUNE 80
3	HAMILTON COMMUNITY CONCERT ASSOCIATI	10,000	3,320	OFFSET RENTAL COSTS OF HAMILTON PLACE FOR 3 CONCERTS
4	HAMILTON & DISTRICT BASEBALL ASSOC.	12,000	5,000	OPERATING COSTS AND DIAMOND UPGRADING(FENCING/BATTER CAGES)
5	HAMILTON & DIST. LABOUR COUNCIL	1,000	1,000	OFFSET COSTS OF LABOUR DAY PARADE
6	HAMILTON KIWANIS MUSIC FESTIVAL	2,500	2,500	OFFSET PRINTING COSTS AND ADJUDICATOR EXPENSES
7	HAMILTON LADIES SLO-PITCH ASSOC.-TOURI	5,000	2,500	OFFSET COSTS-ARENA/PARKS; TABLES & CHAIRS; EQUIP.; ADV. FOR TOURNAMENT
8	HAMILTON MARATHON	4,500	2,000	FOR VOLUNTEER (CLOTHING & FOOD) & OTHER COSTS-REC'D STAFF SUPPORT C&R/CLERK
9	HAMILTON SAFETY COUNCIL	27,000	23,000	OFFSET OPERATING COSTS OF SAFETY PROGRAMS
10	NAVY LEAGUE	1,500	1,500	OFFSET SUMMER SAILING PROGRAM
11	ONTARIO BLIND GOLFERS ASSOC	2,000	1,700	OFFSET CITY COSTS FOR GOLF FOR BLIND GOLFERS
12	PLAYERS GUILD OF HAMILTON	10,000	5,000	OFFSET OPERATING COSTS
13	ST. ANTHONY'S FEAST INC.	10,000	2,000	OFFSET OPERATING COSTS
TOTAL		96,000	57,020	

Appendix "C" as referred to in  
Section 33 of the EIGHTEENTH Report  
of the Finance and Administration  
Committee for 1990.









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its EIGHTH Report for 1990 and respectfully recommends:

1. (a) That the following City lands be incorporated into the various streets:

	<u>Street Name</u>	<u>Description of Lands being Incorporated</u>
(i)	Leggett Crescent	Parts of Block "DX" Plan M-119, Designated as Parts 1, 4 and 5 Plan 62R-7152.
(ii)	Leggett Crescent	Parts of Lot 7, Concession 7, Township Barton, Designated as Parts 6, 7 and 8, Plan 62R-7152.

- (b) That the appropriate By-laws be enacted to give effect to this resolution.
- (c) That the Commissioner of Engineering be authorized and directed to register the By-laws.

2. That the City Traffic By-law No. 89-72 be amended to replace all references to the "Municipal disabled permit" with the "Provincial disabled permit".

**NOTE:** The Province of Ontario has enacted Bill 219 to replace Municipal disabled permits and disabled licence plates with universal disabled permits issued by the Minister of Transportation.

3. (a) That the existing residential boulevard parking agreement registered as Instrument No. 12206 C.D. to the property at No. 16 Rowanwood Street be discharged, at the property owner's expense; and  
(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
4. (a) That the existing residential boulevard parking agreement registered as Instrument No. 295613 C.D. to the property at No. 76 Leeming Street be discharged at the City's expense; and  
(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
5. That the City Traffic By-law No. 89-72 be amended to provide for the following:
  - (a) That a taxi stand to be in effect from 7:00 a.m. to 6:00 p.m. Monday to Saturday, be implemented on the west side of Queen Victoria Drive commencing at a point 129 feet north of Queensbury Drive and extending to a point 60 feet northerly therefrom.
  - (b) That an "Alternate Side Parking" regulation be implemented on East 14th Street between Brucedale Avenue and Fennell Avenue such that parking is prohibited on the west side of the street during the months of December, January, February and March and from the 1st to 15th of April, May, June, July, August, September, October and November; and on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.
  - (c) That a "No Stopping" driveway clearance be implemented on the south side of Albright Road commencing at a point 460 feet west of Nicklaus Drive and extending to a point 110 feet westerly therefrom.
  - (d) That parking be prohibited on the north and west sides of Horning Drive commencing at a point 118 feet south of Lionsgate Avenue and extending to a point 180 feet southwesterly therefrom.
  - (e) That parking be prohibited on the south and west sides of Elora Drive commencing at a point 123 feet north of Elmira Drive and extending to a point 178 feet northwesterly therefrom.

- (f) (i) That a "Permit Parking" regulation be implemented on the north side of Dunsmure Road commencing at a point 71 feet east of Graham Avenue North and extending to a point 20 feet easterly therefrom; and
- (ii) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Pasquale Pescatore, 68 Graham Avenue North.
- (g) (i) That southbound traffic on Prins Avenue be required to stop for eastbound and westbound traffic on Vittorito Avenue; and
- (ii) That a "No Stopping" regulation be implemented on the west side of Highridge Avenue commencing at Vittorito Avenue and extending to a point 113 feet southerly therefrom.
- (h) That the existing "No Parking" corner clearance on the west side of Ellingwood Avenue commencing at Oakland Drive and extending to a point 94 feet southerly therefrom be extended, such that the prohibition commences at Oakland Drive and extends to a point 206 feet southerly therefrom.

6. That leave be granted to introduce the following Bills:-

- Bill B-64 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- Bill B-65 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- Bill B-66 A By-law to Incorporate Parts of Block DX, Plan 62M-119 into Leggett Crescent
- Bill B-67 A By-law to Incorporate Parts 6, 7 and 8, Plan 62R-7152 into Leggett Crescent

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

J. J. Schatz, Acting Secretary  
May 23, 1990

mjw









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its ELEVENTH Report for 1990 and respectfully recommends:

1. (a) That, further to City Council's resolution of 1990 January 30, indicating its commitment to the International Children's Sport Games to be held in Uzhgorod, Ukraine, 1990 June 26 to July 4, financial support is respectfully requested to cover airfare, team uniforms, etc. in an amount not to exceed \$34 000.

NOTE: The aforementioned \$34 000 is based on the municipal funding estimate presented to City Council on 1990 January 30 in the amount of \$14 000 and \$20 000 that is expected from the Federal Government. However, to date, no firm commitment has been received and the Organizing Committee has reached a point where airfares must be secured. The Organizing Committee will continue to seek the commitment from the Federal Government which will lower the City's portion to the original estimate of \$14 000.

In addition, fundraising by the Organizing Committee will generate \$16 000 which will assist in meeting the total budget expenses of \$50 000 (\$14 000 + \$20 000 + \$16 000). The total budget of \$50 000 covers all expenses to and from Uzhgorod, including uniforms. All expenses incurred while in Uzhgorod will be courtesy of the Soviet Union.

- (b) That the City Treasurer be requested to indicate which account(s) the funds can be directed from.

THE FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS THAT THE \$34 000. MAXIMUM REQUIREMENT OF THE CITY TO FUND THE CITY'S PARTICIPATION IN THE INTERNATIONAL CHILDREN'S SPORT GAMES TO BE HELD IN THE USSR, BE FINANCED BY MEANS OF AN OVERDRAFT IN THE ACCOUNTS OF THE CULTURE AND RECREATION DEPARTMENT AT THIS TIME PENDING A RE-EXAMINATION OF ACCOUNTS AND, IF NECESSARY, MORE SPECIFIC FINANCING RECOMMENDATION TO BE REPORTED BY THE TREASURER NEAR THE YEAR END.

- (c) That the Chairman of the Parks and Recreation Committee, Alderman Hinkley and Alderman Lombardo form part of the official delegation attending the International Children's Sports Games, Uzhgorod, Ukraine, 1990 June 26 to July 04 at an estimated cost of \$3 600 to be charged to Legislative Travel Account No. CH55201 10010.

NOTE: For the Information of the Members of City Council in addition to the above City Council representatives, the delegation consists of 24 athletes, 4 coaches, 4 representatives of the Parks and Recreation Citizens' Advisory Sub-Committee, 1 representative of the Arts Advisory Sub-Committee, 2 Ukraine representatives and 1 former Liaison Canada/USSR November 89 and 1 City staff member. Travel costs for the delegation (excluding City Council representatives) are included in the total budget as noted in (a) above.

2. That a purchase order be issued to Johnston Motor Sales, Hamilton, in the amount of \$15 153.48 for the supply and delivery of one (1) 3/4 Ton Cargo Van for the Culture and Recreation Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of seven (7) tenders received. Funds provided in Transportation Account No. CH58002 70001.

3. That a purchase order be issued to F.M. Page & Sons Inc., Hamilton, in the amount of \$39 589 for the supply and installation of chain link fence at Globe Park in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Upgrading of Stadium Facilities: Bernie Arbour Account No. CH56398 62910.

4. That a purchase order be issued to Marta Paving Company, Hamilton, in the amount of \$21 913.10 to install an asphalt pathway at Highview Park in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest of thirteen (13) quotations received. Funds provided in Highview Park Redevelopment Account No. 703 5816.

5. That a purchase order be issued to Harvey Caron Fences, Hamilton in the amount of \$14 642.92 to supply and install a chain link fence at the Sisters' of St. Joseph Ambulatory Centre, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Sisters' of St. Joseph Account No. 703 5846.

6. That purchase orders be issued for the supply and delivery of fertilizers for the Cemetery Division in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders, as follows:

Nutrite Inc., Elmhurst

In the amount of \$28 833.25 for the supply and delivery of 24.25 tonnes 16-4-4

McCracken Golf Supplies, Brampton

In the amount of \$16 170 for the supply and delivery of 19.25 tonnes CIL Professional & Grub Preventive

NOTE: Lowest acceptable of six (6) tenders received. Funds provided in Sod, Seeding & Repair Operating Account No. CH56103 63135.

7. That a purchase order be issued to McCracken Golf Supplies, Brampton, in the amount of \$14 827 for the supply and delivery of fertilizers for the Golf Courses, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: As this fertilizer is to be applied as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Lowest acceptable of six (6) tenders received. Funds provided in Fairway & Rough Maintenance Account No. CH56103 62138/62144.



8. That a purchase order be issued to Form and Build Supply, Kitchener, in the amount of \$50 574 plus provincial sales tax at 8%, for the supply and delivery of waterproofing materials to Ivor Wynne Stadium, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: As this work is to be completed before the end of June, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Lowest of three (3) tenders received. Funds provided in Ivor Wynne Sound System Waterproofing Account No. CH56398 62910.

9. That a purchase order be issued to Belair Recreational Products, Brantford, in the amount of \$16 500 for the supply and installation of a Creative Metal climber at Chedoke/Westcliffe Park in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in Chedoke/Westcliffe Park Account No. CF7084 520441.

10. That a purchase order be issued to Belair Recreation Products, Brantford, in the amount of \$26 176 for the supply and installation of a Creative Metal climber at McQuesten Park in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of two (2) tenders received. Funds provided in McQuesten Park Account No. CF7084 52044.

11. (a) i. That the City of Hamilton give notice to Trans-Northern Pipelines Inc. under Section 9 of the agreement dated 1977 October 28 between Trans-Northern Pipelines Inc. and the City of Hamilton to relocate their 16" pipeline located on City of Hamilton lands north of Mud Street through King's Forest Park, within one (1) year from the date the notice is received at the sole cost and expense of Trans-Northern Pipelines Inc.
- ii. That the City Solicitor be directed to prepare the necessary notice.
- (b) That a new easement at the above new location for the pipeline north of Mud Street, through King's Forest Park, west of the proposed North-South Freeway as shown on the attached plan under the same terms and conditions as the existing agreement be granted to Trans-Northern Pipelines Inc. will prepare the necessary survey at their expense.



It is understood and agreed that the new easement shall include the following provisions:

- i. The restoration of grades and vegetative cover is to be completed as detailed in Trans-Northern Pipelines Inc. "King's Forest Park Pipeline Relocation Environmental Impact Statement" prepared by Ecoplans in February, 1990, and as subsequently amended in May 1990.
- ii. The approval for the new location is subject to the endorsement of the Environmental Impact Statement by the Planning and Development Committee and City Council.
- iii. Trans-Northern Pipelines Inc. will pay compensation to the City for removal of mature trees (10" caliper and greater) at a rate of four (4) 2 1/2 inch caliper b and b trees for each mature tree removed (cost for each replacement tree planted is \$250),
- iv. The total compensation for tree replacement will be established by Trans-Northern Pipelines Inc. in a work order to the City of Hamilton Parks Division to allow for a "phase-in" planting schedule in accordance with the Freeway development in the Red Hill Valley.

**NOTE:** The total number of mature trees to be removed has been confirmed in the field by a representative of Trans-Northern Pipelines Inc. and the City of Hamilton, Parks Division. The affected number of trees should not exceed thirty (30) trees at an estimated replacement cost to Trans-Northern Pipelines Inc. of \$30 000.

- (c) That the City of Hamilton grant to Trans-Northern Pipelines Inc. an Authority to Enter pursuant to the Authority to Enter agreement executed by Trans-Northern Pipelines Inc. on 1990 May 07. This is to authorize the pipeline company to enter City of Hamilton lands on the north side of Mud Street, through King's Forest Park for the purpose of installing a 16" (16 inch) pipeline in the approved location north of Mud Street, through King's Forest Park as of 1990 June 01.

12. That the City of Hamilton grant to Trans-Northern Pipelines Inc. an Authority to Enter pursuant to the Authority to Enter agreement executed by Trans-Northern Pipelines Inc. on 1990 May 07. This is to authorize the pipeline company to enter City of Hamilton lands (bus loop) on the west side of Mount Albion Road, north of Mud Street for ingress and egress to their construction site north of Mud Street through King's Forest Park for the period 1990 June 01 to 1990 October 01.
13. That the City of Hamilton grant to Trans-Northern Pipelines Inc. an Authority to Enter pursuant to the Authority to Enter agreement executed by Trans-Northern Pipelines Inc. on 1990 April 01. This is to authorize the pipeline company to enter City of Hamilton lands (bus loop) on the north side of Mud Street between Mount Albion Road and Pritchard Road, for ingress and egress to their construction site north of Mud Street through King's Forest Park for the period 1990 June 01 to 1990 October 01.
14. That the City of Hamilton grant the Regional Municipality of Hamilton-Wentworth an Authority to Enter pursuant to the Authority to Enter agreement executed by Regional officials on 1990 May 01. This is to authorize the Region to enter City lands in the Red Hill Valley from Mud Street to Brampton Street for the initial construction of the North-South Freeway contracts through Red Hill Valley from Mud Street to Brampton Street, effective 1990 June 01.
15. (a) That an Offer to Purchase executed by the Hamilton-Wentworth Roman Catholic Separate School Board on 1990 May 03 and scheduled for closing on or before 1990 July 23, for the purchase of part of the property known as 957 Upper Paradise Road, for the sum of \$2 be approved and completed.

NOTE: Subject parcel is composed of part of Lots 19 and 20, Concession 8, in the Geographic Township of Barton, now in the City of Hamilton, containing 3.936 hectares (9.73 acres), shown as Parts 3, 4, 9 and 10 on attached copy of Plan 62R-10593.

It is understood and agreed that,

- i. Part 10 is subject to an existing easement in favour of the Region for sewer purposes.
- ii. This Offer to Purchase is conditional upon the City of Hamilton accepting an Option to Purchase Parts 8 and 12 on Plan 62R-10593 (Part of 730 Rymal Road West and 953 Upper Paradise Road) from the Hamilton-Wentworth Roman Catholic Separate School Board, not later than 1990 June 05. The said Option to Purchase and this Offer to Purchase are to be finalized contemporaneously with each other.

iii. The City of Hamilton will grant the Hamilton-Wentworth Roman Catholic Separate School Board a right-of-way over part of Part 6, shown shaded on the attached plan, until such time as this parcel is incorporated into the road allowance of Upper Paradise Road.

iv. The City of Hamilton grant to the Hamilton-Wentworth Roman Catholic Separate School Board an Authority to Enter pursuant to the Authority to Enter agreement executed on 1990 May 03. This is to authorize the Hamilton-Wentworth Roman Catholic Separate School Board to enter the City lands shown as Parts 3, 4, 9 and 10 on Plan 62R-10593 for the purpose of site grading and moving earth as of 1990 June 01.

- (b) That an Option to Purchase executed by the Hamilton-Wentworth Roman Catholic Separate School Board on 1990 May 03 and scheduled for closing on or before 1990 July 23, for the purchase by the City of part of the property known as 730 Rymal Road West and 953 Upper Paradise Road, for the sum of \$2 be approved and completed.

**NOTE:** Subject parcel is composed of part of Lots 19 and 20, Concession 8, in the Geographic Township of Barton, now in the City of Hamilton, containing 3.936 hectares (9.73 acres) shown as Parts 8 and 12 on attached copy of Plan 62R-10593.

It is understood and agreed that this Option to Purchase is conditional upon the City of Hamilton accepting an Offer to Purchase Parts 3, 4, 9 and 10 on Plan 62R-10593 (Part of 957 Upper Paradise Road) from the Hamilton-Wentworth Roman Catholic Separate School Board, not later than 1990 June 05. The said Offer to Purchase and this Option to Purchase are to be finalized contemporaneously with each other.

16. (a) That approval be given to obtain Design-Build (Turn-key) proposals from three selected firms to design and build an additional ice surface at the Mountain Arena Site.
- (b) That City Council call a special meeting on 1990 June 14 to approve the awarding of the contract.
- (c) That the City Treasurer be requested to recommend the method of financing the total funding of \$1 500 000.
- (d) That the Design-Build contract, not to exceed \$1 250 000 and the balance of \$250 000 for City expenses, zamboni, and contingencies, be approved.



THE FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS  
THE FOLLOWING:

- (A) THAT THE CONSTRUCTION OF AN AIR STRUCTURE, TWINNING THE MOUNTAIN ARENA THIS YEAR AT AN ESTIMATED COST OF \$1 500 000. BE FINANCED FROM THE RESERVE FOR CAPITAL PROJECTS ACCOUNT CENTRE NO. CH 00203.
- (B) THAT THE GROSS COST AND FINANCING OF THE WEST MOUNTAIN TWIN PAD ARENA (PROJECT NO. 053.0 OF THE 1990 - 1994 CAPITAL BUDGET PROGRAM) BE REDUCED FROM \$7 600 000. BY \$1 500 000. TO \$6 100 000. AND NET CITY COST FROM \$6 605 000. TO \$5 105 000.

- 17. That approval be given of the action taken by the Director of Culture and Recreation in approving the request of the Greenhill Co-operative Corporation to hold a Fireworks Display on City property located at Quigley and Greenhill on 1990 May 21, raindate 1990 May 27, subject to the following terms and conditions:
  - i. That a Licensed Operator be responsible for carrying out the Fireworks Display.
  - ii. That Greenhill Co-operative Corporation has in place a \$2 million Insurance Policy for Public Liability for Property Damage and Bodily Injury, naming the City as co-insured.
- 18. That in order to ensure the continued operation of the Hamilton Safety Council's "Safety Village", approval be granted to pay the rental fee estimated at \$300 for the use of Central School for the 1990 Season. Funds be provided for from Account No. CH55324 70005 (Innovative Program).

NOTE: The Parks and Recreation Committee at its meeting held 1990 May 22 discussed the fact that Central School was no longer the best site for the Safety Village. The Committee discussed alternate sites but agreed that for 1990, Central School is the most suitable location. In order to assist with finding a permanent location, the Parks and Recreation Committee requested the Director of Culture and Recreation in conjunction with the Director of Property and the City Treasurer to investigate sites with a view to finding a permanent location for the Safety Village and advise the Committee accordingly.

19. That the City Treasurer be required to find within his budget \$46 000 as a base transfer to the Culture and Recreation Budget to provide funding for Wesley Urban Ministries - Victoria Park Community Centre for recreational programs offered at the centre.

**NOTE:** On 1990 May 08, City Council adopted Section 18 of the FIFTEENTH Report of the Finance and Administration Committee and approved an appeal recommendation in an amount of \$5 000 to the Wesley Urban Ministries to be used to assist in offsetting operating costs to be incurred in providing social, educational and recreational opportunities for their Kirkendall Strathcona Neighbour house. The original grant request of Wesley Urban Ministries in the amount of \$92 760 included provision to operate Kirkendall Strathcona Neighbourhood House and Victoria Park Community Centre.

The Finance and Administration Committee referred to the Parks and Recreation Committee a request to consider funding the Victoria Park Community Centre within the Recreational Department Budget. In light of Council's policy regarding requests for additional funds not budgeted in 1990, the Parks and Recreation Committee reviewed the Finance and Administration's recommendation and were unable to find the required funds with the Committee budget. As a result, the Committee approved the above noted recommendation.

**THE FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS THAT THE \$46 000. TO PROVIDE FUNDING FOR THE WESLEY URBAN MINISTRIES - VICTORIA PARK BE FINANCED BY A MEANS OF AN OVERDRAFT IN THE ACCOUNTS OF THE GRANTS BUDGET AND THAT IN 1991 A BASE TRANSFER OF \$46 000. WILL BE MADE TO THE CULTURE AND RECREATION DEPARTMENT BUDGET AT YEAR END.**

20. That the Terms of Reference for an archaeological Site Survey of the Historic Grounds surrounding Dundurn Castle and the Cockpit Theatre, appended hereto as Schedule "A", be approved.
21. That free admission be honoured at the Children's Museum for July 24th - July 26th inclusive for the annual Birthday Party Celebrations.

**RESPECTFULLY SUBMITTED,**

Lynn Dale,  
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE**

1990 May 22



TERMS OF REFER

ARCHAEOLOGICAL SURVEY

DUNDURN CASTLE - SUMMER OF 1990

Dundurn Castle is an historic site/museum that is operated by the Cultural Division of the Department of Culture and Recreation of the Corporation of the City of Hamilton. As well, the Hamilton Historical Board acts in an advisory capacity on matters of museum policy.

The Castle, and its dependent buildings, have been designated at the provincial and federal levels, and operates under a Heritage Easement from the Ontario Heritage Foundation.

In 1987 a study was done to determine the feasibility of re-establishing the historic landscape around the Castle to c.1855.

In 1989 a building conservation study was undertaken which identified, among other issues, serious foundation and drainage problems.

Implementation of the recommendations of the above mentioned reports have the potential to disturb the archaeological resources of the site. Conversely, archaeology has the potential to provide more information concerning these projects. Therefore an archaeological survey will be commissioned with the following objectives:

- 1) PRIMARY OBJECTIVES: To identify sensitive archaeological features within the "historic zone" indicated on the accompanying site plan, and to recommend mitigation strategies where the resource will be disturbed by projected work.
- 2) SECONDARY OBJECTIVES: To enhance documentary research on site as to original land use and location of outbuildings and other significant features (ie. cemetery, path and roadways, garden borders, plant materials, pre-MacNab features, etc.) Also, it is hoped that the survey report will serve as a planning document for future archaeological undertakings.

PROJECT BACKGROUND

The site of Dundurn Castle on Burlington Heights has been well used by man since prehistoric times due to its strategic location. Two recent digs by McMaster University (1970 and 1982-83) as well as a dig in the 1830s have indicated habitation of the site at least as far back as 3,000 years ago.

In 1778 the land was taken up by Richard Beasley, who constructed a house and wharf and warehousing for his trading business. In the early 19th century he built a second brick home on the site of the present Castle.

During the War of 1812 the property was commandeered by the British Army, and used as the general headquarters for the Niagara front. Beasley's buildings were adapted for military use, and much new construction of earthworks, barracks, and other military works was undertaken.

Beasley sold the property to his cousin, John Cartwright, who very promptly sold it to Allan Napier MacNab in 1826.

MacNab began building Dundurn in 1832. He commissioned Robert Wetherell to design a country villa which would incorporate Beasley's home and some of his outbuildings. As well, the estate came to include several gate and dower houses, stables, extensive ornamental and kitchen gardens, ornamental gates, a private cemetery and a cockpit.

After MacNab's death in 1862 the Castle and contents were sold. However, the house remained empty until 1864 when it was purchased by the Institute for the Deaf and Dumb for use as a school.

In 1871 it was bought by Senator McInnis and once again became a private residence. McInnis replaced MacNab's stables with a stone structure and made alterations to the courtyard wing. In 1899 he sold the estate to the City of Hamilton for use as a public park.

In 1900 the Castle was opened as a museum. In 1964 the restoration of MacNab's home was undertaken as a centennial project. In 1967 Dundurn was reopened, restored to a terminal date of 1855, when Sir Allan was at the height of his political and financial careers.

#### SCOPE OF WORK

Assessment work on the property will accomplish the following:

- inventory, identify and describe the archaeological resources extant within the defined survey area
- develop a reliable statement of significance of the resource and note degree of disturbance
- develop recommendations for mitigation of effects of projected landscape and restoration work
- develop an accurate map showing the distribution of the archaeological resource
- estimate the expected density of archaeological materiel wherever possible.

#### METHODOLOGY

- A minimum of three (3) scheduled meetings between the consultant and Curator shall take place. These meetings will be:
  - a) before commencement of field work
  - b) upon completion of draft report
  - c) for presentation of final report

As well, it is assumed that regular consultation will take place throughout the project.

- Approximately 25 test locations have been suggested and plotted on the accompanying site plan/grid. These are included to indicate the proposed extent and intention of the survey. It is expected that some modification of locations may be suggested by the expertise of the consultant. These decisions will be made in consultation with the Curator.
- 50cm x 50cm units shall be shovel tested and screened to sterile soil unless a culturally sensitive layer is encountered, in which case excavation will continue with trowel and screen. Arbitrary or natural lot levels may be used as indicated by conditions.
- all features shall be mapped in planview (1:10) and photographed in black and white and coloured slides. All pertinent stratigraphic profiles shall be recorded and/or mapped and photographed.
- All artifacts will be washed and bagged with unit number and lot level, and assigned a progressive accession number. A catalogue and summary tables shall be provided.

FINAL REPORT SHALL INCLUDE:

- objectives
- methodology
- extent of excavations
- interpretation of all testing
- description of features
- soil types and colours( Munsell)
- maps and drawings of each unit
- scale drawings of significant features
- complete set of black and white prints and negatives, and slides
- artifact analysis and interpretation
- summary

PROPOSAL CONTENT

Submissions are to include:

QUALIFICATIONS AND EXPERIENCE:

- firm profile and experience in the field of work to be undertaken
- references
- current resumés of staff and sub-contractors
- a statement of the applicant's proposed method of undertaking this project as it pertains to crew make-up and timing



- proposals for any publication of results beyond final report (ie. professional journals)
- statement of policy towards use of volunteers

The consultant must be licensed to carry out archaeological work in the Province of Ontario.

#### FEE AND WORK SCHEDULE:

A work schedule following the proposed payment schedule below:

- Start date of field work: (no earlier than July 18, 1990 and no later than August 1, 1990)
- Phase 1 payment: Upon completion of field work and submission of a "Work completed to date" statement and invoice
- Draft report submission: Provide date.
- Phase 2 payment: Upon submission of invoice and acceptance of Final Report. Provide proposed date.
- Cost of the assessment including a budget breakdown. Allocation of funds towards major equipment purchases will not be allowed within the terms of the contract. Consumable field and lab supplies will be allowed. Reimbursable items will necessitate submission of original receipts.
- A fee schedule (fixed fee or per diem with upset limit)

#### SELECTION CRITERIA:

Selection of the successful proposal shall be based on the following:

- 1) The qualifications and direct relevant experience of the consultant
- 2) Familiarity with the project
- 3) Understanding of the scope of project

The city of Hamilton reserves the right to investigate fully the qualifications (including financial status) of any tenderer. The tenderer must also submit references to be contacted at the City's discretion.

The lowest or any tender will not necessarily be accepted.

Submission of any tender shall be construed as acceptance of the City's terms for carrying out and completing the work of this contract.

#### TIMING:

Field work shall be completed in no less than three (3) weeks and no more than four (4) weeks from start date. Final report will be due three (3) months from completion of field work.









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its ELEVENTH Report for 1990 and respectfully recommends:

1. That demolition control be applied to the following residential properties and that no demolition permit be issued until such time as the owner obtains a building permit:

(a) 150 Catharine Street South

(b) 152 Catharine Street South

NOTE: L.A.C.A.C. has also recommended that demolition control be applied to these two listed residential properties.

2. That the Building Commissioner be authorized to issue demolition permits for the following properties:

(a) 52 Canada Street

(b) 166 Montrose Avenue

(c) 56 East Bend Avenue South

3. That the City of Hamilton support Heritage Cornwall's commitment to heritage preservation in saving the Capitol Theatre by sending the following message to the Premier of Ontario:

The City of Cornwall has recently removed the heritage designation on the historic Capitol Theatre and will proceed shortly with the demolition of this important architectural landmark. This action was taken by the local city council in anticipation of a new provincial building being constructed on the same site. We urge you to intervene and help save this unique atmospheric movie palace, one of only three remaining structures of its type in Canada. We request that your government demonstrate its commitment to heritage preservation by including a restored Capitol Theatre as part of any new provincial building in the City of Cornwall.

4. That the Director of Community Development be authorized to process an Ontario Home Renewal Programme grant/loan in an amount not to exceed \$7,500. to:

(a) Geraldine Shapiro  
19 Cloverhill Road

(b) Ms. Mary Worron  
30 Benson

NOTE: The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74, and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme.

5. That a purchase order be issued to STF Construction Limited, Hamilton, in the amount of \$32,077. for the construction of a park maintenance building at Lucy Day Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest of eleven (11) quotations received. Funds provided in Crown Point West/Stipeley Phase II Account #CF 42870200.

6. That the City of Hamilton accept the sum of \$133,000. as cash payment in lieu of the 5% dedication in connection with "Rymal Estates", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located west of Garth Street and north of Rymal Road in the Falkirk East Neighbourhood, Hamilton.

7. (a) That approval be given to Subdivision Application 25T-89036, Effort Gardens Extension, Hampshire Properties Inc., owner, to establish a draft plan of subdivision, north of Stone Church Road and east of Upper James Street, subject to the following conditions:
- (i) That this approval apply to the plan prepared by MacKay, MacKay and Peters Limited, drawing number S-7227A showing 12 lots.
  - (ii) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (iii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

- (iv) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (vi) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (vii) That the streets be dedicated to the City of Hamilton as public highways.
  - (viii) That the proposed streets align with the existing street to the north and/or the proposed streets to the south in a draft approved plan under Regional File No. 25T-88035, "Effort Gardens", respectively.
  - (ix) That the proposed development not be registered until the construction for Municipal services (water, roads, storm and sanitary sewers) for the development to the south, (Regional file No. 25T-88035, "Effort Gardens") has been approved.
  - (x) That the cul-de-sacs at the ends of Streets "A" and "B" have a transitional radius of 9.0 metres into each cul-de-sac.
  - (xi) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (xii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-89036), Hampshire Properties Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.



8. (a) That the City of Hamilton petition the Premier of Ontario to amend the Public Utilities Act to require that applicants for hydro hook-ups be required to obtain and submit a zoning verification to Hydro when making a request for more than one hook-up; and,
- (b) That the Association of Municipalities of Ontario be requested to endorse the City's petition to the Province.

NOTE: At its last meeting, the Planning and Development Committee met with the Board of Commissioners of Hamilton Hydro and Hydro's Senior Staff to discuss the problems being created by the illegal conversions of single family dwellings to multiple family dwellings. As a result of that meeting, it is anticipated that a Provincial amendment to the Public Utilities Act would reduce the number of illegal conversions now taking place.

9. That the City Solicitor be directed to prepare a By-law to repeal By-law No. 90-40 and replace it with a revised By-law of adoption for Official Plan Amendment No. 84 showing reference to 820 Rymal Road East.

NOTE: The purpose of By-law No. 90-40 was to adopt Official Plan Amendment No. 84 to the Official Plan. The effect of the By-law was to allow the development of a commercial plaza at 820 Rymal Road East. The reference to the municipal no. on By-law No. 90-40 was incorrect. Consequently, it is necessary to repeal By-law No. 90-40 and introduce a new By-law showing the correct municipal address.

10. (a) That the Environmental Impact Statement prepared by Ecoplans (1990 February), and as amended in 1990 May, for the relocation of a Trans-Northern Pipeline Inc. pipeline through King's Forest Park be endorsed subject to the following:
  - (i) A development permit be issued by the Niagara Escarpment Commission;
  - (ii) The appropriate approvals are obtained from the Hamilton Regional Conservation Authority;
  - (iii) City Council approves all the terms and conditions of the licensing agreement between Trans-Northern and the City with respect to this undertaking; and,
  - (iv) The additional field surveys and information as requested by the Ministry of Natural Resources is completed to the satisfaction of that Ministry.

- (b) That the City Clerk be directed to advise Regional Council of City Council's decision on this matter.

NOTE: Trans-Northern Pipeline Inc. has submitted an Environmental Impact Statement for the relocation of their pipeline on City-owned land through King's Forest Park. This statement is submitted in accordance with the Official Plan and circulated to various commenting agencies for their review and comment. Endorsement of this Environmental Impact Statement is required by both the City and Regional Council.

11. (a) That City Council apply to the Ministry of Municipal Affairs to receive the final payment for Stage 1 of the Central Business District Study.

- (b) That the City Clerk carry out this recommendation.

NOTE: Stage 1 of the Study is being completed in accordance with the May 31st target date agreed to with the Ministry of Municipal Affairs. A grant of about \$23,000. was awarded. The final 15% payment is now due.

12. That Section 12 of the Twenty-First Report for 1989 of the Planning and Development Committee to City Council, approved on 1989 September 26th, in regard to Zoning Application 89-45 by 603815 Ontario Inc., (W. A. Hemstreet) owner of lands located at 1492 Upper James Street be amended as follows:

- (a) That subsection (a)(i) be clarified by changing "existing building" to "existing building(s)" in the sixth line; and,

- (b) That a new subsection (a)(ii) to the following effect be added:

- (a)(ii) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be further modified to include the following special provision:

1. That notwithstanding Section 9.(1) of Zoning By-law No. 6593, one (1) pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of Zoning By-law No. 6593.

- (c) That subsections (a)(ii), (a)(iii), (a)(iv), (a)(v) and (a)(vi) of Section 12 of the Twenty-First Report be renumbered accordingly.

NOTE: The purpose of the amendment is to permit a pylon sign for the purpose of business identification in conjunction with a temporary new and used auto sales lot. Other commercial uses located along this area of Upper James Street which are zoned "HH" permit a pylon sign to be located 3.0 m minimum from the front property line. A 3.0 m minimum distance is therefore consistent with the commercial development.

13. That approval be given to Zoning Application 90-17, Issac Johnson, owner, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District to permit two (2) small lot single-family detached dwellings on lands at the rear of 1279 Upper Gage Avenue, as shown on the attached plan marked as Appendix "A", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-49B and E-49C for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (d) That the Quinndale Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Single and Double" Residential.

NOTE: The purpose of this By-law is to provide for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, for property located at the rear of 1279 Upper Gage Avenue.

The effect of the By-law is to permit the creation of two (2) lots for small lot single-family detached dwellings fronting onto Queen Victoria Drive.

14. (a) That approval be given to Official Plan Amendment No. 91 to redesignate Block "4" from "Residential" to "Commercial" and to extend the boundary of Special Policy Area 31, and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.



(b) That approval be given to Zoning Application 89-104, Carriage Gate Homes Ltd., owner, requesting changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District (Block "1"), "C" (Urban Protected Residential, etc.) District (Block "2"), "RT-30" (Street-Townhouse) District (Block "3"), "HH" (Restricted Community Shopping and Commercial) District (Block "4"), and from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District (Block "5"), for the lands municipally known as 1441 Upper James Street, as shown on the attached map marked as Appendix "B", on the following basis:

- (i) That Block "1" be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;
- (ii) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (iii) That Block "3" be rezoned from "AA" (Agricultural) District to "RT-30" (Street-Townhouse) District;
- (iv) That Block "4" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (v) That Block "5" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (vi) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the lands described as Blocks "4" and "5" be modified to include the following variances as special requirements:
  - (1.) That notwithstanding Section 14A(3)(a) a front yard of a depth of at least 24.0 m shall be provided;
  - (2.) That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within a landscaped strip not less than 9.0 m wide along the easterly rear lot line of Block "4";
  - (3.) That a minimum 3.0 m wide landscaped area, excluding vehicular access, be provided and maintained adjacent to the Upper James Street road allowance;

- (vii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1179, and that the subject lands on Zoning District Map E-9C be notated S-1179;
- (viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
- (ix) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Amendment No. 91 by the Regional Municipality of Hamilton-Wentworth;
- (x) That the Ryckmans Neighbourhood Plan be amended as follows:
  - (1.) By amending the approved road pattern accordingly;
  - (2.) By redesignating:
    - Block "1" From: "Single and Double" Residential  
To: "Park and Recreational"
    - Block "3" From: "Low Density Apartments", "Park and Recreational" and "Single and Double" Residential  
To: "Attached Housing"
    - Block "4" From: "Low Density Apartments" (easterly portion)  
To: "Commercial and Retail Warehouse"

NOTE: The purpose of this By-law is to provide for changes in zoning for property located at 1441 Upper James Street, on the following basis:

- (a) Block "1" - Change from "AA" (Agricultural) District to "A" (Conservation, Open Space Park and Recreation) District.
- (b) Block "2" - Change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
- (c) Block "3" - Change from "AA" (Agricultural) District to "RT-30" (Street-Townhouse) District.
- (d) Block "4" - Change from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District.



- (e) Block "5" - Change from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District.

The effect of the By-law is to permit development of the subject lands for the following uses:

- (a) Block "1" - Park
- (b) Block "2" - Single-family dwellings
- (c) Block "3" - Street townhouses
- (d) Blocks "4" and "5" - Retail Commercial

In addition, the By-law provides for the following variances as special requirements:

- (a) To require a minimum 24.0 m building setback from the front lot line;
- (b) To require a minimum 3.0 m wide landscaped area, excluding vehicular access, to be provided and maintained adjacent to the Upper James Street road allowance;
- (c) To require a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained within a 9.0 m wide landscaped strip along the easterly rear lot line of Block "4".

15. (a) That approval be given to Subdivision Application 25T-89034, Carriage Gate Homes Ltd., owner, to establish a draft plan of subdivision on lands to the east of Upper James Street between Stone Church Road East and Rymal Road East, subject to the following conditions:

- (i) That approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 March 1, revised by the addition of 0.3 m reserves, the widening of lots 20-23 inclusive and showing 45 lots and 8 blocks.
- (ii) That Street "B" be established to its full width and all streets be dedicated as public highways on the final plan.
- (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (iv) That the final plan conform with the Zoning by-law approved under The Planning Act.

- (v) That the owner convey 5% of the land included in the plan to the City of Hamilton for park purposes pursuant to The Planning Act.
  - (vi) That such easements as are required for utility and drainage purposes be granted to the appropriate authority.
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That any dead-ends or open sides of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  - (ix) That Blocks "47" to "53" inclusive be developed only in conjunction with abutting lands.
  - (x) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-89034) Carriage Gate Homes Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

16. That approval be given to amended Zoning Application 89-96, Arbra Developments, Inc., owner, requesting a change in zoning from "AA" (Agricultural) District to "M-14" (Prestige Industrial) District for Block "1", a change in zoning from "M-12" (Prestige Industrial) District to "M-14" (Prestige Industrial) District for Blocks "2" and "3" and a change in zoning from "M-14" (Prestige Industrial) District to "M-12" (Prestige Industrial) District for Block "4", to permit industrial development in conjunction with the adjoining lands, for property located on the south side of Rymal Road East between Glover Road and Trinity Church Road, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "M-14" (Prestige Industrial) District;
- (b) That Blocks "2" and "3" be rezoned from "M-12" (Prestige Industrial) District to "M-14" (Prestige Industrial) District;
- (c) That Block "4" be rezoned from "M-14" (Prestige Industrial) District to "M-12" (Prestige Industrial) District;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-69E and E-79E; and,
- (e) That the requested change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That Block "1" be redesignated to "Restricted Industrial" on the approved Mountain Industrial Area Plan.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "M-14" (Prestige Industrial) District for Block "1", from "M-12" (Prestige-Industrial) District to "M-14" (Prestige Industrial) District for Blocks "2" and "3", and from "M-14" (Prestige Industrial) District to "M-12" (Prestige Industrial) District for Block "4", for property located on the south side of Rymal Road East between Glover Road and Trinity Church Road.

The effect of the By-law is to permit the development of the subject lands, in conjunction with the adjoining lands, as an Industrial Park.

- 17. (a) That approval be given to Subdivision Application 25T-89031, Arbra Developments Inc., owner, to establish a draft plan of subdivision at the south-east corner of Rymal Road East and Glover Road, subject to the following conditions:
  - (i) That approval apply to the plan prepared by May, Pirie and Associates Limited, dated 1989 April, revised to provide road widenings and daylight triangles for Rymal road, Glover Road and the proposed access street.
  - (ii) That the owner acquire from Ontario Hydro sufficient land to provide for the two road crossings of the "Ontario Hydro Corridor".
  - (iii) That the streets, street widenings and daylight triangles be dedicated as public highways on the final plan.
  - (iv) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.



- (v) That the final plan conform with the Zoning By-law approved under The Planning Act.
- (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
- (vii) That such easements as may be required for utility and drainage purposes be granted to the appropriate authority.
- (viii) That any dead-ends or open sides of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance or development of abutting lands.
- (ix) That Block "22" not be developed until such time as sufficient existing residences have ceased to exist to allow industrial development on the block in compliance with City policy.
- (x) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-89031), Arbra Development, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

18. That approval be given to Zoning Application 90-20, William Kosar, (In Trust), prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District to permit a 3 storey, 18 unit stacked townhouse development, on property located at 912 Rymal Road East, as shown on the attached map marked as Appendix "D" on the following basis:

- (a) That the lands be rezoned from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District;
- (b) That the "E-2" (Multiple Dwellings) District regulations as contained in Section 11B of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 11B(1) of By-law No. 6593 only a multiple dwelling containing a maximum of 18 dwelling units shall be permitted;
  - (ii) That notwithstanding Section 11B(2) of By-law No. 6593 the maximum height of any building or structure shall not exceed 3 storeys or 12 m;
  - (iii) That notwithstanding Section 18A(14) of By-law No. 6593 required parking spaces shall be permitted in the required front yard not less than 3.0 m from the front property line adjoining Rymal Road East;
  - (iv) That a minimum 3.0 m wide landscaped planting strip, excluding the area required for an access driveway, shall be provided and maintained along the front lot line adjoining Rymal Road East;
  - (v) That a visual barrier not less than 0.6 m in height and not greater than 1.2 m in height shall be provided and maintained within the 3.0 m wide landscaped planting strip along the front lot line adjoining Rymal Road East.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1180, and that the subject lands on Zoning District Map E-49E be notated S-1180;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E for presentation to City Council;
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
  - (f) That the Broughton East Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to "Low Density Apartments".

NOTE: The purpose of the application is to provide for a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District, for property located at 912 Rymal Road East. The effect of the By-law is to permit redevelopment of the subject lands with a 3 storey, 18 unit multiple dwelling (stacked townhouse). Twenty three (23) surface parking spaces and 1 loading space will be provided.

In addition, the By-law provides for the following variances and special requirements:



- (a) To permit required parking spaces in the required front yard not less than 3.0 m from the front property line adjoining Rymal Road East;
- (b) To require a minimum 3.0 m wide landscaped planting strip, excluding the area required for an access driveway, to be provided and maintained along the front lot line adjoining Rymal Road East;
- (c) To require a visual barrier not less than 0.6 m in height and not greater than 1.2 m in height to be provided and maintained within the 3.0 m wide landscaped planting strip along the front lot line adjoining Rymal Road East.

19. That amended Zoning Application 90-28, Alfrin Enterprises Corporation (D. Frisina), prospective owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District, to convert the existing building to eighteen units (condominiums or apartments), for property located at 73 Garfield Avenue South as shown on the attached map marked as Appendix "E", be DENIED for the following reasons:

- (a) The proposal represents an overintensification of land use in that only fourteen parking spaces can be provided on site whereas twenty-three parking spaces are required; and,
- (b) The traffic generated from the eighteen units (proposed density) will create a spillover effect in the neighbourhood (increased requirements for on-street parking) which is undesirable and would negatively affect the quality of the residential environment.

20. That approval be given to Zoning Application 90-27, S. & J. Food Distributors, owner, requesting a modification to the "M-14" (Prestige Industrial) District regulations to permit a restaurant [37.16 m<sup>2</sup> (400 sq. ft.)] having a seating capacity of approximately 30 persons in conjunction with the existing food distribution warehouse, for the property located at 105 Nebo Road, as shown on the attached map marked as Appendix "F" on the following basis:

- (a) That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F of Zoning By-law No. 6593, be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 17F(1)(b), the following accessory uses shall be permitted in conjunction with the existing use:

Accessory Use

S.I.C. Identification  
Number

- |                             |      |
|-----------------------------|------|
| 1) Restaurant, Licensed; or | 9211 |
| Restaurant, Unlicensed      | 9212 |
| 2) Take Out Food Services   | 9213 |

(ii) That notwithstanding Clause a), the restaurant shall not exceed 37.16 m<sup>2</sup> in area and a seating capacity of 30 persons.

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1181, and that the subject lands on Zoning District Map E-59D be notated S-1181;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for a modification to the "M-14" (Prestige Industrial) District regulations, for the property located at 105 Nebo Road.

The effect of the by-law is to permit the following accessory uses in conjunction with the existing food distribution warehouse:

Accessory Use

S.I.C. Identification  
Number

- |                              |      |
|------------------------------|------|
| (a) Restaurant, Licensed; or | 9211 |
| Restaurant, Unlicensed       | 9212 |
| (b) Take Out Food Services   | 9213 |

In addition, the by-law restricts the restaurant to a maximum floor area of 37.16 m<sup>2</sup> and a seating capacity of 30 persons.

21. That the application for conversion, renovation and repair of units at 14 Duke Street, under the Rental Housing Protection Act, (RR-90-001), be approved provided:

- (a) That the applicant, Robert Patterson, enters into and registers on title to 14 Duke Street an Agreement incorporating the conditions set out below, satisfactory to the Director of Local Planning and to the City Solicitor, prior to the commencement of any physical alterations;

- (b) That such Agreement shall include the applicant's covenant to provide a similar number of new rental units (10 units) which are similar in rent and location to the existing units; and,
- (c) That rental accommodation for existing tenants must be provided in the same area and of similar quality and rent as the existing units.

NOTE: The application involves the provision of additional floor space for doctors offices, in a building with mixed residential/commercial use. All rental residential units in the building are to be renovated extensively, two residential units are to be converted to professional offices, and one new residential unit is to be provided, for an overall reduction of one residential unit.

22. That leave be granted to introduce the following Bills:

- (a) Bill D-59 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 991 Upper Paradise Road.
- (b) Bill D-60 A By-law to adopt Official Plan Amendment No. 90 respecting land located at Municipal No. 26 Arrowsmith Road, within the Nashdale Neighbourhood.
- (c) Bill D-61 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 648 Upper Paradise Road.
- (d) Bill D-62 A By-law to amend Zoning By-law No. 6593 respecting lands located at the northwest corner of James Street North and Vine Street.
- (e) Bill D-63 A By-law to establish Site Plan Control respecting lands located at the northwest corner of James Street North and Vine Street.
- (f) Bill D-64 A By-law to amend Zoning By-law No. 6593 respecting land located on the south side of Mud Street and west of the City Limits.
- (g) Bill D-65 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal No. 286 Sanford Avenue North.
- (h) Bill D-66 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 86-59 respecting lands located at Municipal Nos. 1519 (Part Of), 1543 and 1549 Rymal Road East.

- (i) Bill D-67 A By-law to repeal By-law No. 90-40 and to adopt Official Plan Amendment No. 84, respecting land located at Municipal No. 820 Rymal Road East, within the Broughton West Neighbourhood.

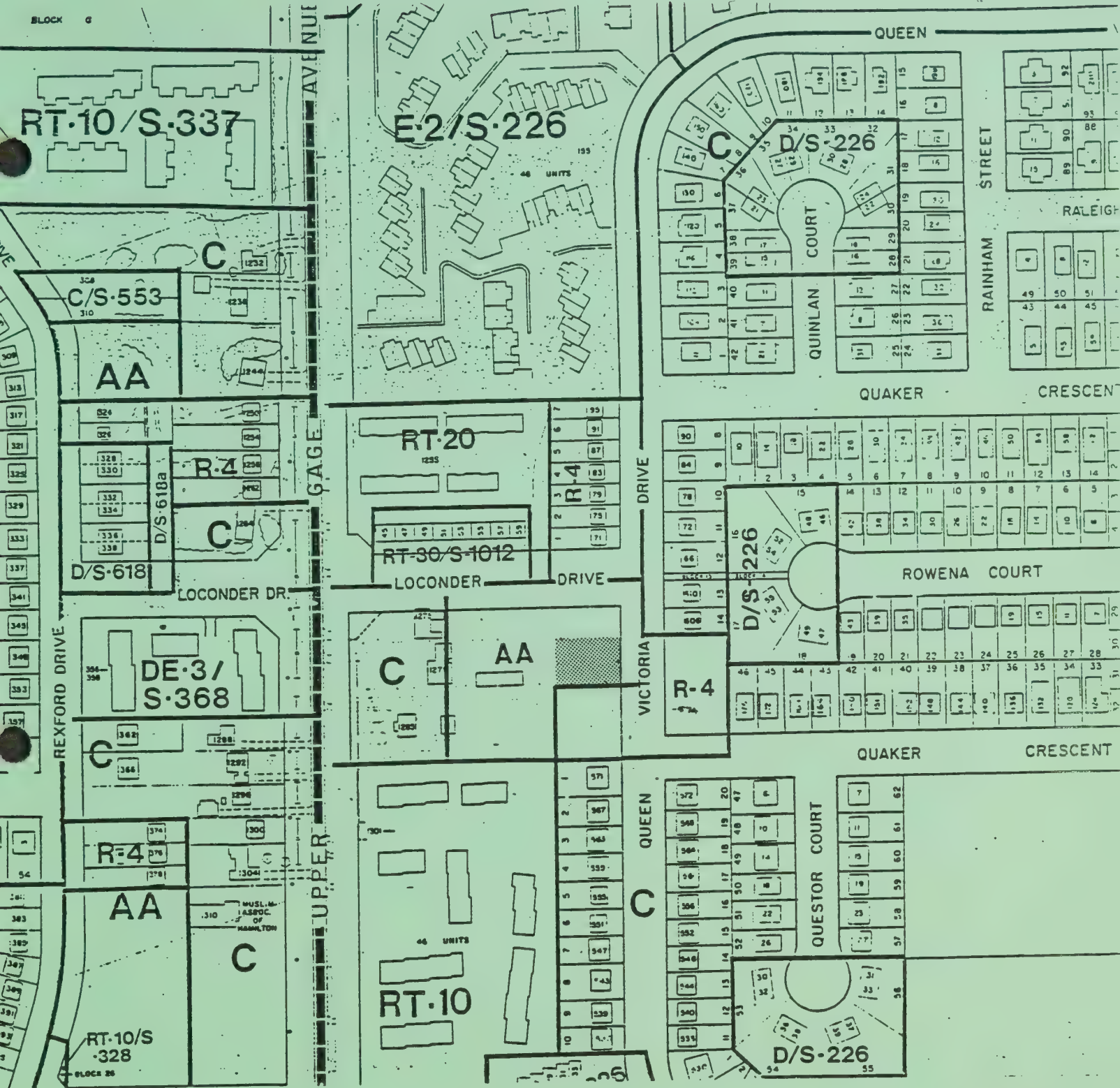
Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1990 May 23





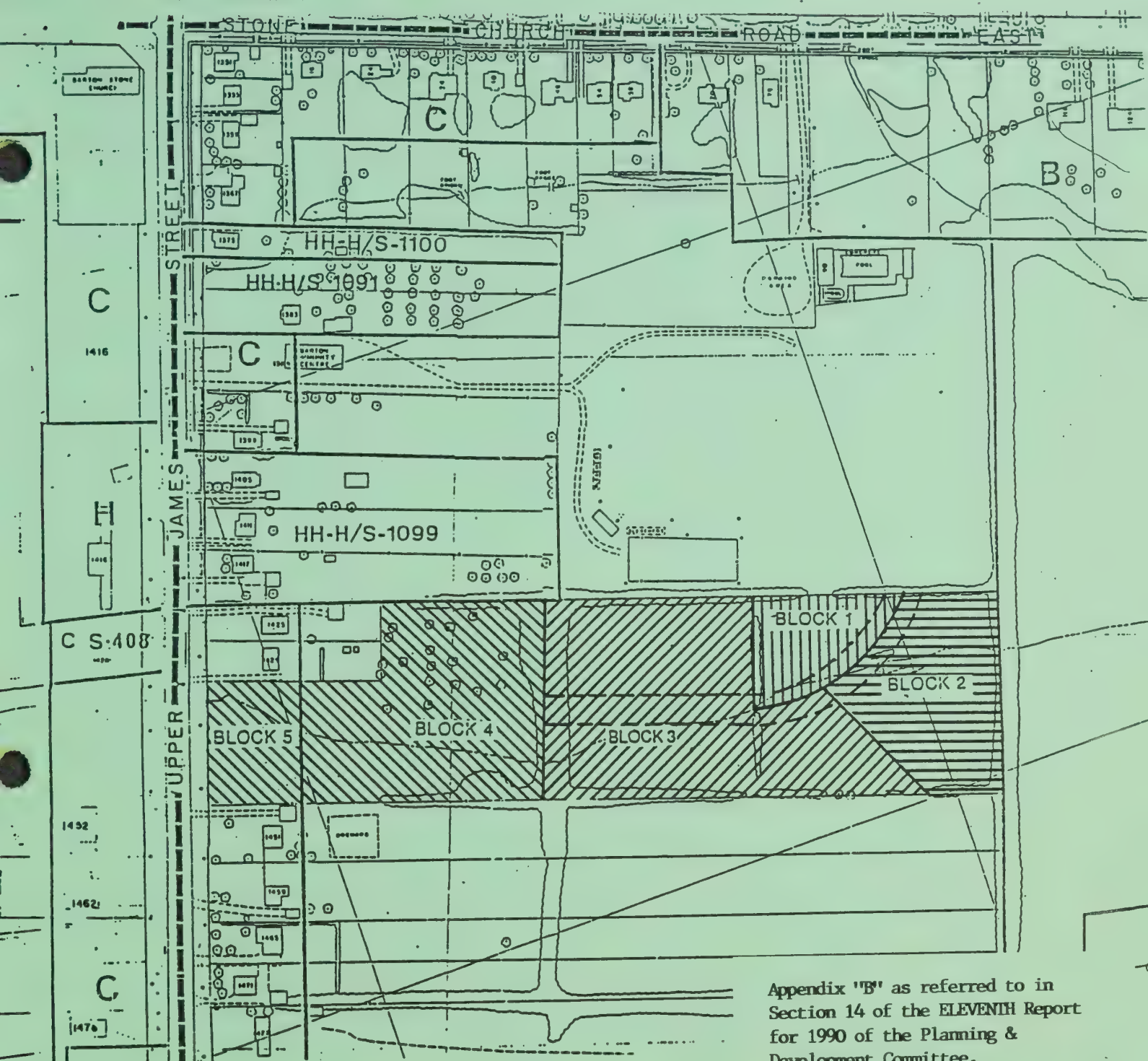


### Legend



Site of the Application

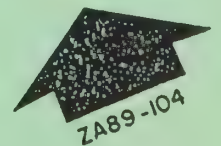




Appendix "B" as referred to in Section 14 of the ELEVENTH Report for 1990 of the Planning & Development Committee.

### Legend

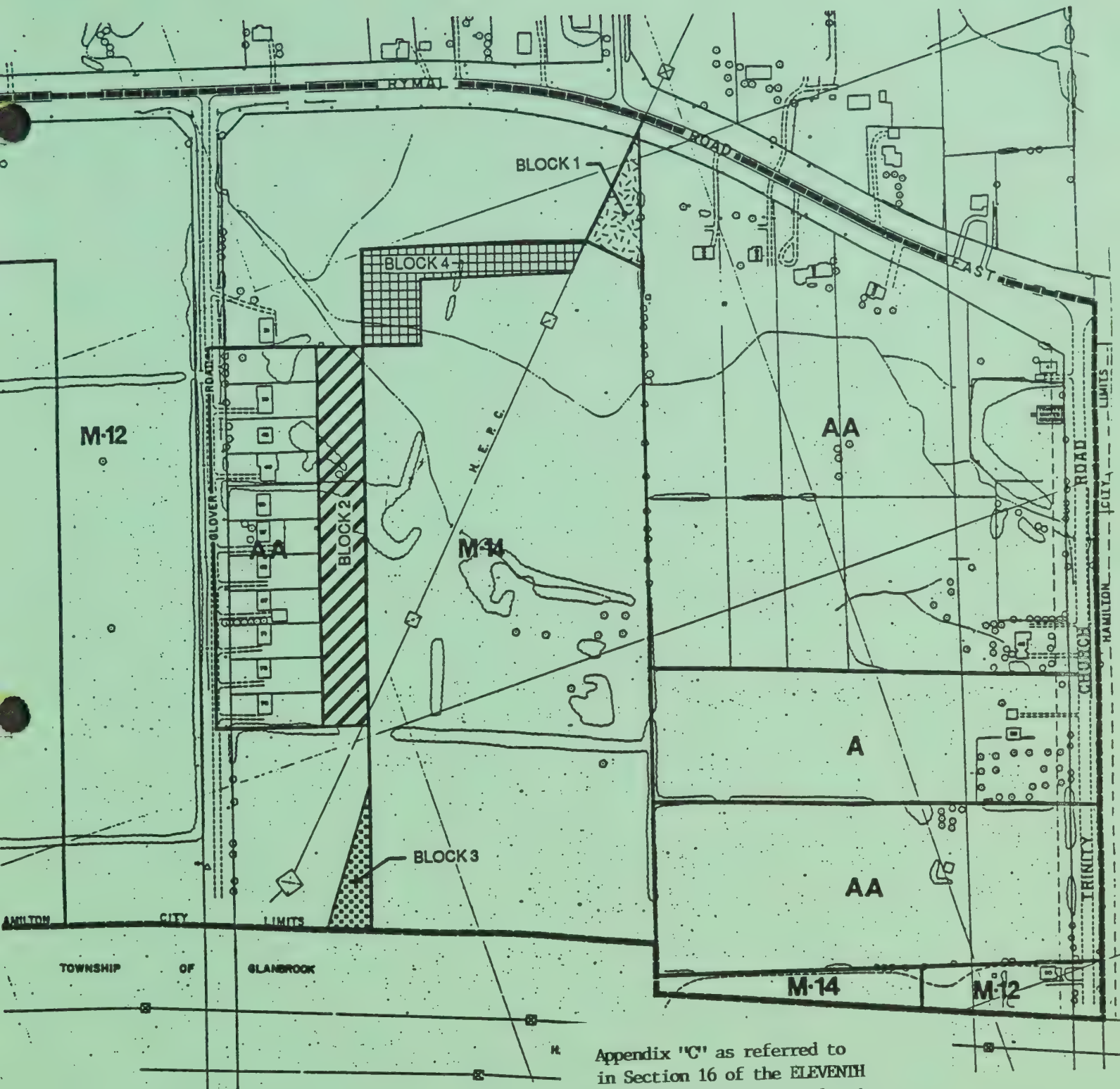
Proposed change in zoning from:



- |         |  |                                                                                                                   |
|---------|--|-------------------------------------------------------------------------------------------------------------------|
| BLOCK 1 |  | "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District.                     |
| BLOCK 2 |  | "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District                                  |
| BLOCK 3 |  | "AA" (Agricultural) District to "RT-30" (Street-Townhouse) District.                                              |
| BLOCK 4 |  | "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District.                     |
| BLOCK 5 |  | "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District. |







Appendix "C" as referred to  
in Section 16 of the ELEVENTH  
Report for 1990 of the Planning  
& Development Committee.

### Legend

Change in zoning from:



"AA" (Agricultural) District to "M-14" (Prestige Industrial) District



"M-12" (Prestige Industrial) District to "M-14" (Prestige Industrial) District



"M-12" (Prestige Industrial) District to "M-14" (Prestige Industrial) District

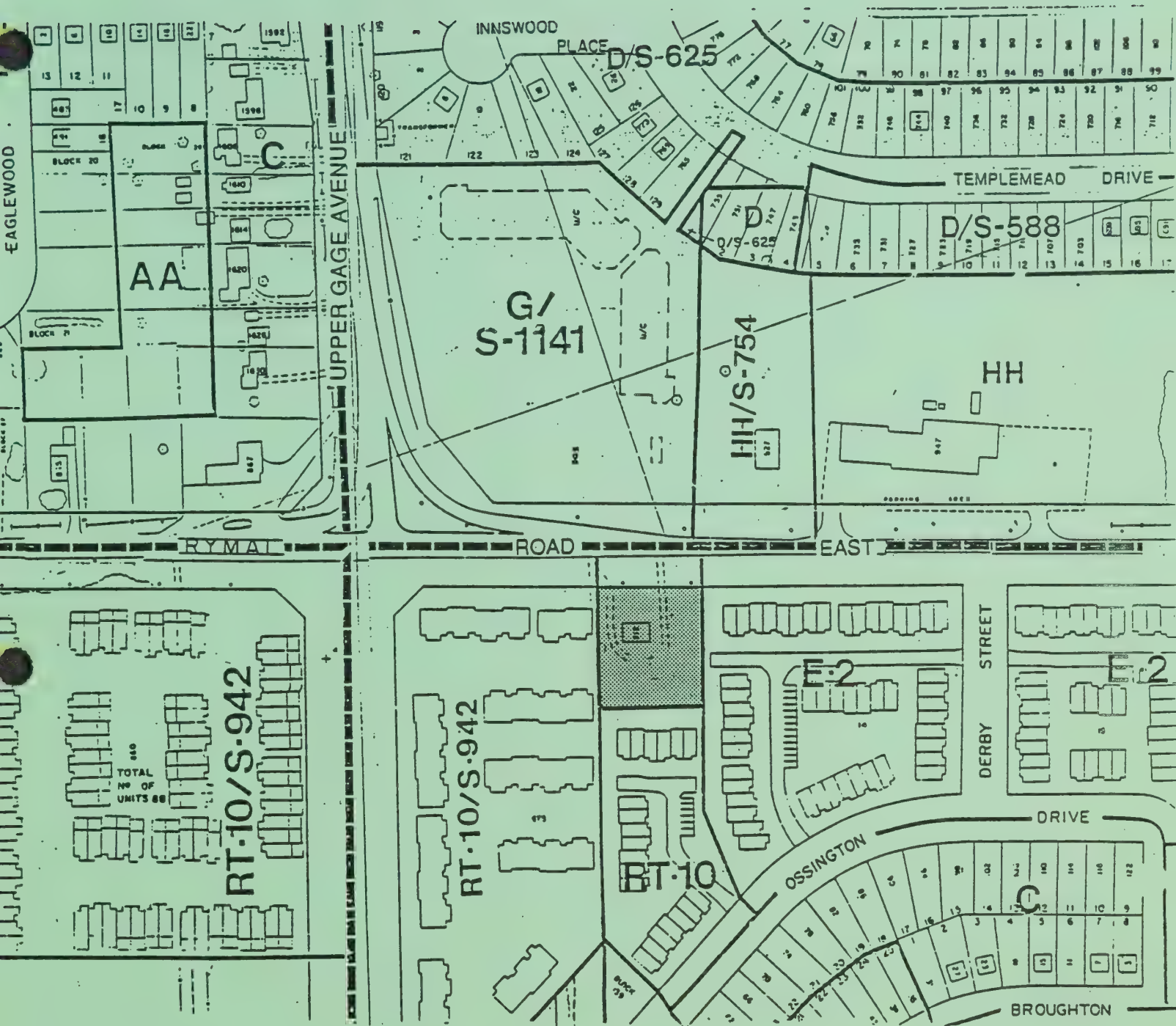


"M-14" (Prestige Industrial) District to "M-12" (Prestige Industrial) District









Appendix 'D' as referred to in  
Section 18 of the ELEVENTH  
Report for 1990 of the Planning  
& Development Committee.

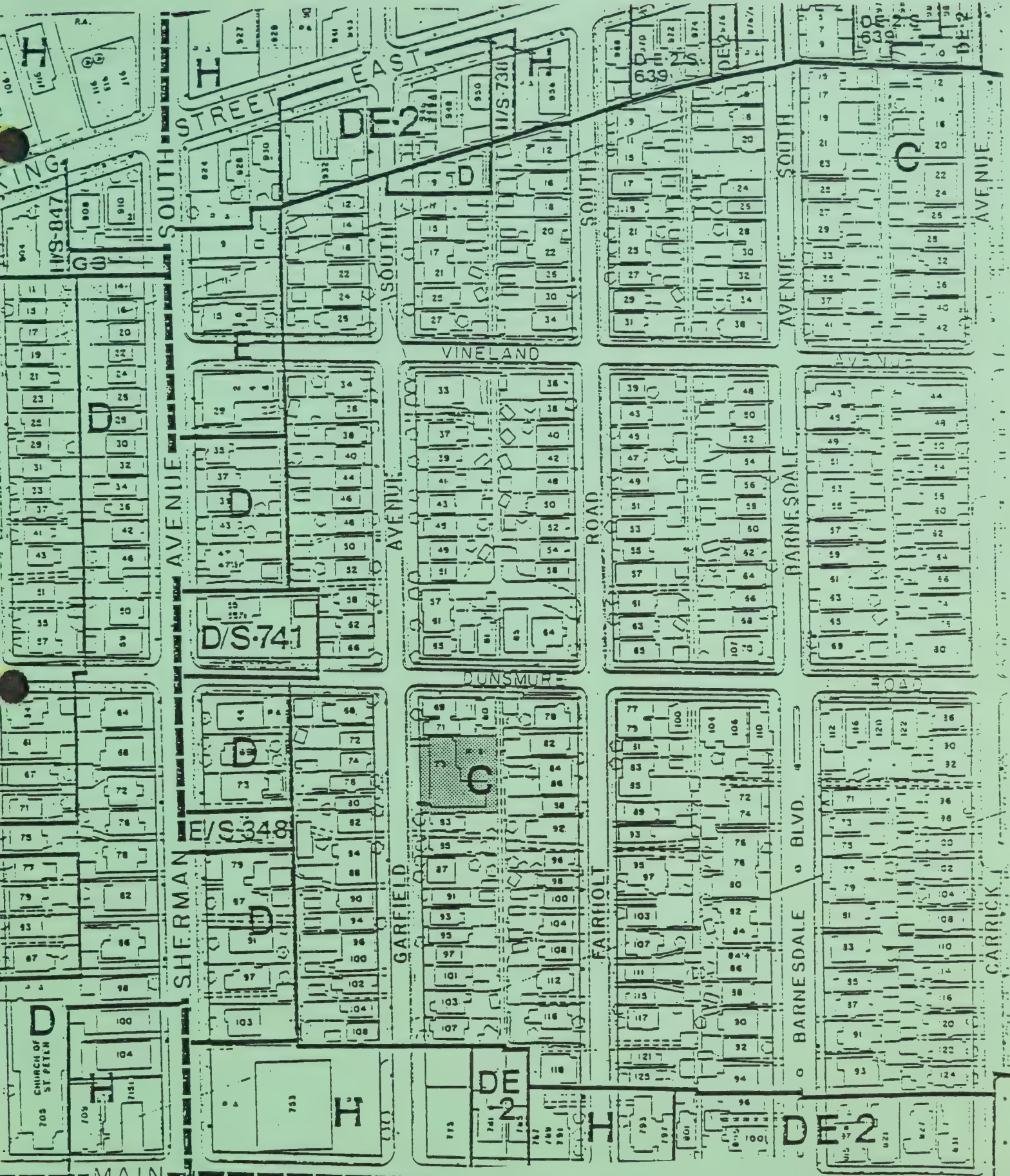
Legend



Site of the Application



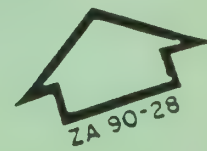




Legend



Site of the Application









# Legend



Site of the Application

Appendix 'F' as referred to in Section 20 of the ELEVENTH Report for 1990 of the Planning & Development Committee.









## REPORT OF THE INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **THIRD** Report for 1990 and respectfully recommends:

1. (a) That the City of Hamilton Treasury Department and Information Systems proceed on a joint Project to develop and implement a replacement Property/Taxation System.
- (b) That the design review of the replacement property and taxation system include (but not be limited to) the following new features:
  - (i) optional monthly, quarterly or annual tax payments
  - (ii) optional direct payment from bank accounts
  - (iii) improved access to statistical information
  - (iv) improvements to the information that might be made available to taxpayers
  - (v) additional automation opportunities to reduce processing costs
- (c) That funds be provided by transferring from the Reserve for Project Management Account No. CH00134 to a current Work-in-Progress Account to a maximum annual amount of \$350 000 per year.

2. (a) That Microcomputer workstations and printers be acquired in accordance with the following:

<u>Description</u>	<u>Supplier</u>	<u>Price</u>	<u>Comment</u>
IBM Compatible AT workstation	Exceltronix	\$2 061.	Lowest of 27 proposals
NEC 890 printer	Equatorial Canada	\$4 252.	Lowest acceptable of 22 proposals

- (b) That decisions to lease or purchase be made in each case, in consultation with the respective Corporation's Commissioner of Finance/Treasurer.
- (c) That funds be provided from Workstations Account No. CH56605 26032 and in individual Department 1990 Budget Accounts.

NOTE: Exceltronix Computing Inc. of Etobicoke, Ontario  
Equatorial Canada Ltd. of Rexdale, Ontario



3. (a) That workstation software for standard corporate software be acquired in accordance with the following unit prices:

<u>Description</u>	<u>Supplier</u>	<u>Price</u>	<u>Comment</u>
WordPerfect 5.1	Telecom Computer	\$ 290.52 each	Lowest acceptable of 7 proposals
WordPerfect 5.1 Upgrade Kit	Corporate Software	\$ 106.92 each	Lowest acceptable of 7 proposals

- (b) That funds be provided in Accounts Nos. CH56098 26032 and CH56099 26032 (Workstation Software) and in various Regional and City 1990 Department Accounts.

NOTE: Telecom Computer of Burlington, Ontario  
Corporate Software of Mississauga, Ontario

4. (a) That Scott Leasing of Mississauga provide leasing services for replacement microfilming equipment in accordance with their leasing proposal dated 1990 February 28 (lowest acceptable of 4 proposals received).

Scott Leasing \$22.74/\$1 000./month for 60 months

- (b) That funds be provided from Account No. CH56602 26035 (Microfilming Equipment Leasing).
- (c) That the leasing agreement be in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee).

5. (a) That, on request, City Aldermen be provided with remote (dial-up) access to the Electronic Mail System (PROFS).
- (b) That, optional wordprocessing capability be included.
- (c) That the costs for this service for Members of City Council be charged to Account No. CH56605 26032 (Workstations). That any additional funds, if required, be included as part of the 1991 Budget Submission Process.

- (d) That remote access to the Electronic Mail System by staff be subject to the approval of the Chief Administrative Officer.
- (e) That the costs for this service, for approved staff, be financed from the 1990 Departmental Budgets with no increases in Departmental allocations for 1990.

Respectfully Submitted

ALDERMAN J. GALLAGHER, CHAIRMAN  
INFORMATION SYSTEMS COMMITTEE

Mrs. L. Dale, Acting Secretary  
1990 May 24

njw









REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1990 and respectfully recommends:

1. That the Taxi Cab Owner's Licence Application of Martin Bradbury, 1199 Royal Drive, Burlington be denied.

NOTE: For the information of Members of City Council, the City of Hamilton Licensing Committee at its meeting of 1990 May 09 recommended that the foregoing Licence Application be denied on the grounds that Mr. Bradbury did not qualify with the requirement of By-law No. 89-249 as amended in that he was not engaged in the Taxi Industry for the two years immediately prior to his application. (Further information may be obtained from the Secretary.)

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON  
CHAIRMAN  
LICENSING COMMITTEE

Stella Glover  
Secretary

1990 May 09



NOTICES OF MOTION



NOTICE OF MOTION

Alderman T. Murray gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: That the Mayor's Race Relations Committee be restructured by reducing its membership to 12 members, and those citizens applying for membership would be subject to the same procedures that are in place to select other Committees or Boards reporting to Council. The Finance and Administration Committee would be responsible for holding interviews to select membership and that the new restructured Committee would report to the Finance and Administration Committee.





NOTICE OF MOTION

Alderman V. J. Agro gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: That the H.E.C.F.I. Board be restructured as a nine (9) member Board consisting of six (6) citizen members, the Mayor, and two (2) Aldermen and, further, that the H.E.C.F.I. Board select both the Chairman and Vice-Chairman of the Board, and that the new Board determine ways and means of giving each of the three (3) facilities more autonomy.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend Procedural By-law No. 82-203, as amended

and

To Repeal By-law No. 79-86, as amended

Respecting:

HEARINGS BY COMMITTEES OF COUNCIL

WHEREAS Section 104 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides in part as follows:

"Every council may pass...by-laws...for governing the proceedings of the council, the conduct of its members and the calling of meetings";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Procedural By-law No. 82-203 on the 28th day of September 1982;

AND WHEREAS Section 106(1) of the Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

"Where the council of a municipality is required by law to hear interested parties or to afford them an opportunity to be heard before doing any act, passing a by-law, or making a decision, the council may provide by by-law for a committee of the council to hear such parties or afford them an opportunity to be heard in the place and stead of the council, and, where a hearing is conducted or an opportunity to be heard is afforded by a committee under such a by-law in respect of any matter, the council may do the act, pass the by-law, or make the decision in respect of which the hearing was held or the opportunity for hearing afforded without being required to hold a hearing or afford an opportunity for a hearing in respect of such matter";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 79-86 on the 13th day of March 1979 to authorize hearings by Committees of Council which by-law was amended by By-law No. 81-42, passed on the 27th day of January 1981;

AND WHEREAS the Council of The Corporation of the City of Hamilton, adopted a motion at its meeting held on the 31st day of October 1989 to revise the structure of the Standing Committees of Council;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section --- of the ----- Report of the Finance and Administration Committee at its meeting held on the --- day of May 1990, recommended that Procedural By-law No. 82-203 be further amended to incorporate provisions to delegate authority to the Standing Committees of Council to hold hearings in place and in stead of Council.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 82-203 as amended is further amended by adding the following section:

37a. Every committee of council named in Section 30(1) shall hear interested parties or afford them an opportunity to be heard in place and stead of council.

2. By-law No. 79-86 and By-law No. 81-42 are hereby repealed.

3. This by-law comes into force and effect on the date of its passing and enactment.

**PASSED** this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990)      R.F.A.C.      , May 29



The Corporation of the City of Hamilton

BY-LAW NO. 90-

Respecting:

**DESIGNATION OF "HEAD" FOR THE PURPOSES OF  
THE MUNICIPAL FREEDOM OF INFORMATION AND  
PROTECTION OF PRIVACY ACT, 1989**

**WHEREAS** the Municipal Freedom of Information and Protection of Privacy Act, S.O. 1989, Chapter 63, received Royal Assent on the 14th day of December 1989, which Act comes into force on the 1st day of January 1991;

**AND WHEREAS** Sections 2 and 3 of the said Act provide, in part, as follows:

2. (1) In this Act,

"head", in respect of an institution, means the individual or body determined to be head under section 3;

"institution" means,

(a) a municipal corporation,...

3. (1) The members of the council of a municipal corporation may by by-law designate from among themselves an individual or a committee of the council to act as head of the municipal corporation for the purposes of this Act.

(3) If no person is designated as head under this section, the head shall be,

(a) the council, in the case of a municipal corporation;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Section 10 of the 6th Report of the Finance and Administration Committee at its meeting held on the 27th day of February 1990, recommended that the Finance and Administration Committee be designated as "Head" for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, 1989.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Finance and Administration Committee is hereby designated as "Head" for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, 1989.

2. This by-law comes into force and effect on the date of its passing and enactment.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 90-

Respecting:

**ASSUMPTION OF LEGAL COSTS  
CITY OF HAMILTON VS. BALDASARO ET AL.**

**WHEREAS** Section 248 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides in part as follows:

248. (1) The Council of every municipality may at any time pass by-laws...for paying any damages or costs awarded against any...members [of the council] or expenses incurred by them as a result of any action or other proceeding, except a proceeding brought under the Municipal Conflict of Interest Act, 1983, arising out of acts or omissions done or made by them in their capacity as members or officers of the municipality...and for assuming the cost of defending the member in such an action or other proceeding;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Item 13 of the 7th Report of the Finance and Administration Committee at its meeting held on the 13th day of March 1990, recommended that a by-law be passed to empower the City of Hamilton to assume legal costs as hereinafter provided.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton may assume the costs in the amount of \$695.40, being the costs incurred by Mayor Robert M. Morrow in defending a Supreme Court of Ontario action brought against The Corporation of the City of Hamilton by Reverend Brother Michael A. J. Baldasaro et al. (Court File No. 6489/89) with respect to an agreement between The Corporation of the City of Hamilton and the Hamilton Tiger Cat Football Club.

2. This by-law comes into force and effect on the date of its passing and enactment.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Market By-law No. 81-180

**WHEREAS** Section 210, paragraph 65 of the Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

210. By-laws may be passed by the councils of local municipalities:

65. for establishing, maintaining and operating markets and for regulating such markets and any other markets located within the municipality;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 81-180 on the 23rd day of June 1981 to regulate the Hamilton Farmers' Market;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Section 3 of the 16th Report of the Legislation Committee at its meeting held on the 14th day of November 1989 recommended that By-law No. 81-180, as amended, be further amended to redefine the meaning of "Stand";

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Section -- of the -- Report of the Finance and Administration Committee at its meeting held on the 29th day of May 1990 recommended that By-law No. 81-180 as amended by further amended to extend the hours for unloading produce on non-market days.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 1(m) of By-law No. 81-180 is revoked and the following substituted therefor:

(m) "Stand" means,

- (i) the area of the market assigned by the Market Manager to a stallholder for the sale of his or her produce and food;
- (ii) a refrigeration unit and any other area that may be assigned by the Market Manager, or
- (iii) the area of the market assigned by the Market Manager for a coffee shop.

(2) Page 1 of Schedule "A" annexed to and forming part of By-law No. 81-180 is revoked and substituted therefor is Schedule "A" annexed to and forming part of this by-law.

2. (1) Section 16a of By-law No. 81-180 is amended by revoking and substituting therefor the following clause:

1. Not unload produce before 2:00 p.m. and after 5:00 p.m.

3. In all other respects, By-law No. 81-180 as amended is hereby confirmed, unchanged.

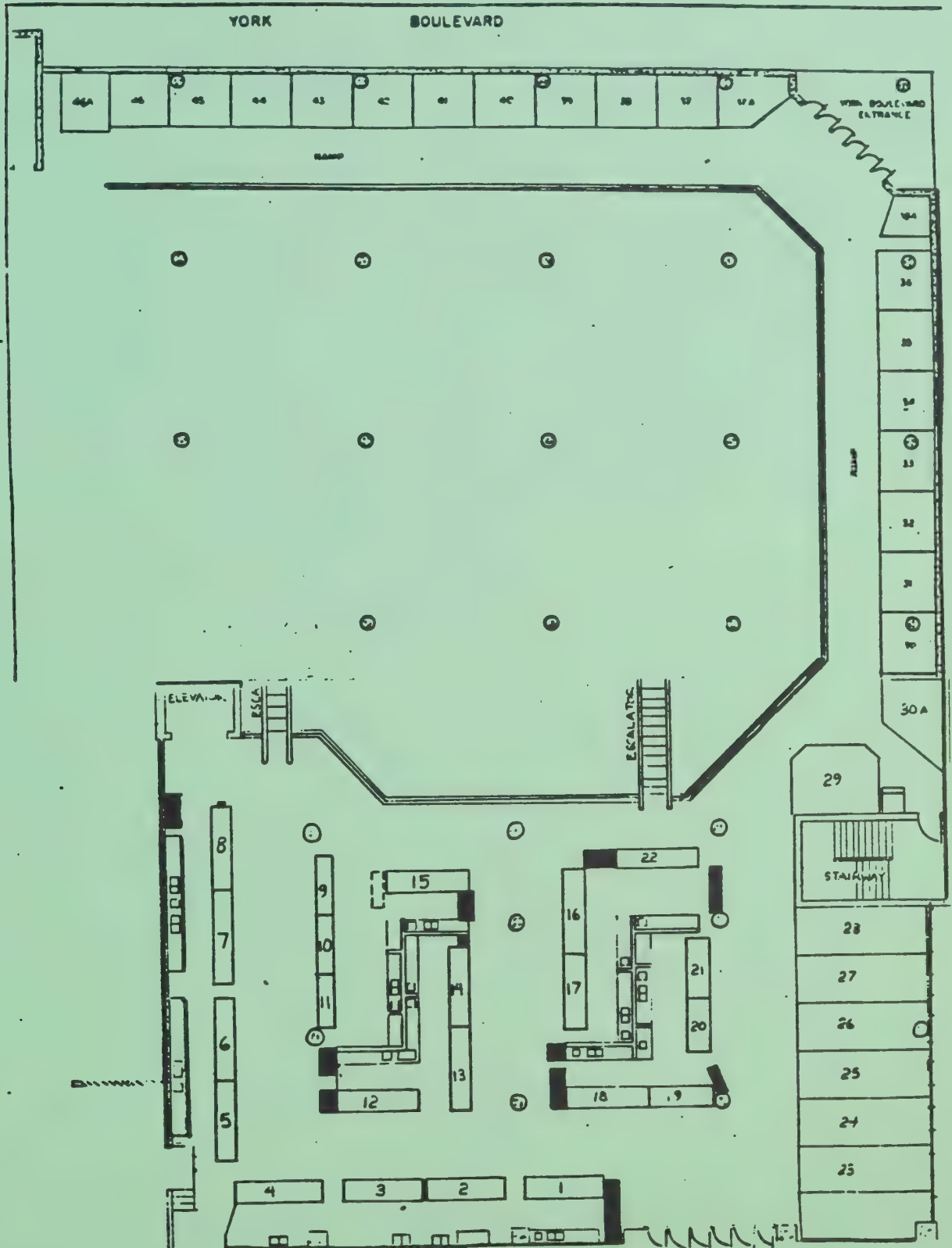
4. This by-law comes into force and effect on the date of its passing and enactment.

PASSED this                      day of                      A.D. 1989.

City Clerk

Mayor

(1989) 16 R.L.C. 3, November 14  
(1990) R.F.A.C. , May 29



■ - ADDITIONAL INSTALLATIONS  
 □ - PROPOSED INSTALLATIONS

MARKET MEZZANINE  
AND RAMP



The Corporation of the City of Hamilton

BY-LAW NO. 90-

Respecting:

**FIREWORKS**

WHEREAS paragraphs 31 and 32 of subsection 1 of section 354 of the Municipal Act, R.S.O. 1970, Chapter 284 (now paragraphs 30 and 31 of Section 210 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended), provides as follows:

354. By-laws may be passed by the council of all municipalities:

31. For regulating the sale of fireworks or any class or classes thereof and for prohibiting the sale of fireworks or any class or classes thereof on any day or days during the year or to any person under the age of twelve years.
32. For prohibiting or regulating the setting off of fireworks or any class or classes thereof in the municipality or in any defined area or areas thereof and for requiring a permit for the holding of fireworks displays and prescribing the conditions under which fireworks displays may be held under such permit;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 79-128 on the 24th day of April 1979 to prohibit and regulate the sale and setting off of fireworks;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item -- of the -- Report of the Finance and Administration Committee at its meeting held on the -- day of -----1990 directed that By-law No. 79-128 be repealed and replaced as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
  - (a) "Chief of Police" means the Chief of Police for The Regional Municipality of Hamilton-Wentworth;
  - (b) "City" means The Corporation of the City of Hamilton ;
  - (c) "Display fireworks" means high-hazard fireworks for recreation, including firecrackers, that are classed under Class 7, Division 2, Subdivision 2 under the Explosives Act, R.S.C. 1970, c. E-15, as amended, and the Explosives Regulations made thereunder, and includes but is not limited to rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons;

- (d) **"family fireworks"** means low-hazard fireworks for recreation that are classed under Class 7, Division 2, Subdivision 1 of the Explosives Act, R.S.C. 1970, c. E-15 as amended, and the Explosives Regulation made thereunder, and includes but is not limited to firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers, and other similar devices, but does not include Christmas crackers and paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares, or marine rockets;
- (e) **"Fire Chief"** means Chief of the Fire Department of the City of Hamilton;
- (f) **"firecracker"** means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares, or marine rockets;
- (g) **"magazine"** means magazine as defined in the Explosives Act, R.S.C. 1970, c. E-15, as amended, more particularly described in Schedule "C" hereto annexed;
- (h) **"motor vehicle"** means motor vehicle as defined in the Highway Traffic Act, R.S.O. 1980, c. 198, as amended;
- (i) **"permit"** means permission to hold a fireworks display granted by the City of Hamilton as indicated by completion of the Permission of Local Authority form affixed to FORM 1, hereto annexed as Schedule "A";
- (j) **"prohibited fireworks"** includes but is not limited to cigarette loads or plugs, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink, or key chain pistols, auto alarms or jokers, "cherry bombs", M-80 and silver salutes and flash crackers; throw down and step on torpedoes, and crackling balls; exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party poppers and table bombs, table rockets and bottle skyrockets, fake firecrackers and other trick devices or practical jokes, each of which is more particularly described in Schedule "B" hereto annexed;
- (k) **"retail sale"** means a sale for the purpose of consumption or use and not for resale;
- (l) **"shop"** means a building or part of a building, booth, stall or place where goods are exposed or offered for sale.

**PART 1****Firecrackers**

2. (1) No person shall possess, offer for sale, cause to be sold, or sell any firecrackers or other prohibited fireworks.

(2) No person shall discharge, fire, or set off or cause to be discharged, fired or set off any firecrackers or other prohibited fireworks.

**PART 2****Family Fireworks**

3. (1) No person shall offer for sale, cause to be sold, sell or possess family fireworks unless,

- (a) the fireworks are included on the most recently published list of authorized explosives published by the Explosives Branch of the Department of Energy, Mines and Resources (Canada);
- (b) the fireworks are displayed in lots that do not exceed 25 kilograms each in gross weight;
- (c) the fireworks are displayed in a package, glass case or other suitable receptacle away from inflammable goods; and
- (d) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat.

(2) Notwithstanding subsection (1), no person shall offer for sale, cause to be sold, or sell family fireworks from a roadside stand, tent, van, trailer, or motor vehicle.

4. Fireworks displayed in store windows shall be mock samples only and shall not contain explosive composition.

5. No person who offers for sale any family fireworks shall, at any time, keep the family fireworks in any location in a shop unless the location is designated and posted as a "no-smoking" area.

6. (1) No person shall offer for sale, cause to be sold or sell family fireworks except on Victoria Day, Canada Day, and each of the six business days immediately preceding Victoria Day and Canada Day.

(2) No person shall offer for sale, cause to be sold or sell family fireworks to any person under the age of eighteen years.



7. (1) No person shall set off family fireworks except on Victoria Day and Canada Day.

(2) No person under the age of eighteen years shall set off family fireworks except under the direct, immediate and physical supervision and control of a person eighteen years of age or older.

(3) No parent or guardian of any person under the age of eighteen years shall allow or permit that person to set off family fireworks except under the direct, immediate and physical supervision and control of a person eighteen years of age or older.

8. No person shall set off or hold a display of family fireworks on any land that is not owned by him or her, unless written permission for the setting off or the holding of a display of family fireworks on a date to be clearly specified in the written permission, has been obtained from the owner, lessee or person in charge of the land.

9. No person shall set off family fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.

10. No person shall set off or continue to set off family fireworks or shall display family fireworks that create a nuisance or that create or may create an unsafe condition as regards danger from fire or from risk of accident at or in respect of any place, location or site, or to or in respect of any person, property or thing.

11. (1) Subject to subsection (2), no person shall set off family fireworks, into, in, or on, any highway, street, lane, square or other public place which the public or any member thereof uses or may use.

(2) Nothing in subsection (1) shall prohibit the display of family fireworks in a public place in accordance with the provisions of this Part.

### PART 3

#### Display Fireworks

12. (1) No person shall offer for sale, cause to be sold, sell or possess Display fireworks unless the fireworks are included on the most recently published list of authorized explosives published by the Explosives Branch of the Department of Energy, Mines and Resources (Canada);

(2) No person shall set off or shall hold a display of Display fireworks without a permit issued by the City of Hamilton and signed by the Manager of the Licence Division for the City of Hamilton.

13. (1) Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved thereunder as a Display fireworks supervisor by the Chief Inspector of Explosives, may make application in writing to the City of Hamilton, Manager of the Licence Division, for a permit to set off or hold a display of Display fireworks.

(2) Every application for a permit under subsection (1) shall be made on Form 1, hereto annexed as Schedule "A", and shall be complete as to the information required.

(3) Every application for a permit under subsection (1) shall include, in addition to the information required on Form 1, all additional information as the Manager of the Licence Division may require, including but not limited to,

- (a) proof of liability insurance naming The Corporation of the City of Hamilton as co-insured and where applicable naming the Regional Municipality of Hamilton-Wentworth also as co-insured, and
- (b) completion in full of the Hamilton-Wentworth Regional Police Access To Information Waiver on Schedule 1 to Form 1 hereto annexed as Schedule "A".

14. Every application for a permit under section 13 shall be made not less than 30 days before the setting off or the holding of the display of Display fireworks.

15. (1) Upon receipt of a completed application under section 13, and subject to subsections (2) and (3), the Manager of the Licence Division shall sign the Permission of Local Authority form affixed to the Application to Purchase form, being Form 1 hereto annexed as Schedule "A".

(2) Before the Permission of Local Authority form is signed under subsection (1), the Manager of the Licence Division shall obtain a report from the Fire Chief and from the Chief of Police.

(3) The Manager of the Licence Division for the City of Hamilton shall not sign the Permission of Local Authority form under subsection (1) where,

- (a) a report from the Chief of Police under subsection (2) indicates that the Applicant has a prior criminal record of improper or careless use of fireworks and/or arson or arson-related convictions within a period of 10 years immediately preceding the date of the application.
- (b) a report from the Fire Chief under subsection (2) indicates that the proposed site is not suitable for a display of Display fireworks, or
- (c) the Applicant does not affix to the completed application form a certificate of insurance showing general public liability and property damage coverage in the amount of \$2 Million and naming the City of Hamilton as co-insured and where applicable naming The Regional Municipality of Hamilton-Wentworth also as co-insured.

16. (1) Every permit issued under section 15 shall specify the name of the applicant, the name of the sponsoring organization, if applicable, the date, time and location or site for the setting off or for the display of Display fireworks.

(2) No person shall set off or hold a display of Display fireworks at a date, time, location or site other than that specified in the permit.



17. (1) Notwithstanding section 16, no person shall set off or hold a display of Display fireworks at any location or site without the written permission of the owner of the site or an authorized representative thereof.

(2) No person shall set off or hold a display of Display fireworks on any location or site without the written permission of the owner or an authorized representative thereof of all neighbouring lands upon which debris may be reasonably expected to fall.

18. No person shall exhibit, display, offer for sale, cause to be sold, or sell Display fireworks unless prior to the sale the fireworks are kept and maintained in a magazine licensed by the Explosives Branch of the Department of Energy, Mines and Resources (Canada).

19. No person shall give, offer for sale, cause to be sold or sell Display fireworks to any person, unless that person

- (a) is eighteen years of age or older,
- (b) holds a valid Fireworks Supervisor's Card,
- and (c) holds a valid permit issued by the City of Hamilton.

20. Every person to whom a permit is issued under section 15 shall,

- (a) provide and maintain fully operational fire extinguishing equipment ready for immediate use, and present at all times and for a reasonable period thereafter, at the location or site of the setting off or holding of a display of Display fireworks; and
- (b) conform to the provisions of the current issue of the Fireworks manual published by the Explosives Branch of the Department of Energy, Mines and Resources (Canada) for the setting off or holding of a display of Display fireworks;
- (c) produce the permit on demand by any person authorized to enforce this by-law under section 28.

21. (1) No person except the holder of a valid Fireworks Supervisor's Card shall set off any Display fireworks.

(2) The Fireworks Supervisor who is named on the application to purchase shall be present in person at the display at all times during which the display is being set up, fired and cleaned up.

22. Every person to whom a permit is issued shall, at the immediate termination of the setting off or holding of a display, carry out a site inspection and

- (a) remove all unused or partly used Display fireworks,
- (b) remove all debris remaining after use or partial use of Display fireworks, and
- (c) return the site to the condition it was in prior to the setting off or holding of the display.

23. (1) Every person to whom a permit is issued shall, at the termination of the setting off or holding of a display, carry out a final site inspection as soon as is practicable during daylight hours, but not later than 12 hours after the termination of the setting off or holding of the display.

(2) The grounds on which Display fireworks are set off or held shall, after the termination of the setting off or holding of the fireworks, be kept under continual surveillance until the final site inspection has been completed by the permit-holder identified under subsection (1).

24. (1) No person shall set off Display fireworks, into, inside of, or closer than 10 metres to, any building, accessory building or structure, or motor vehicle.

(2) No person shall set off Display fireworks within 200 metres of any premises or place where explosives, gasoline or other highly inflammable substances are manufactured, or stored in bulk.

(3) No person shall set off Display fireworks within 200 metres of a hospital, nursing home, home for the aged, church or a school unless the consent of the City and the owner or authorized representative thereof is obtained.

25. Notwithstanding any other provision of this Part, no person shall set off or continue to set off Display fireworks or shall display Display fireworks that create a nuisance or that create or may create an unsafe condition as regards danger from fire or from risk or accident at or in respect of any place, location or site, or to or in respect of any person, property or thing.

26. (1) Subject to subsection (2), no person shall set off Display fireworks, into, or in, or on, any highway, street, lane, square or other public place which the public or any member thereof uses or may use.

(2) Nothing in subsection (1) shall prohibit the display of Display fireworks in a public place in accordance with the provisions of this Part.

#### PART 4

##### General

27. A permit issued under this by-law is not transferable.

28. In the event of non-compliance with the provisions of this by-law, an Order to Comply on Form 2 hereto annexed as Schedule "D" may be issued at any time by,

- (a) the City Clerk, or any authorized by-law enforcement officer for the City;
- (b) the Chief of the Fire Department, or the Chief Fire Prevention Officer, or any officer or inspector of the Fire Department;
- (c) the Chief of Police or any other police constable.

29. Every person who contravenes any provision of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00, exclusive of costs.

30. Schedules "A", "B", "C" and "D" hereto annexed are included in and form part of this by-law.

31. By-law No. 79-128, enacted on the 24th day of April 1979, is hereby repealed.

32. This by-law comes into force and effect on the date of its passing and enactment.

33. This by-law may be cited as the Fireworks By-law.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990)      R.F.A.

## SCHEDULE "A"

To

By-law No. 90-

## FORM 1

# APPLICATION TO PURCHASE CLASS 7.2.2. HIGH-HAZARD FIREWORKS FOR RECREATION

(CANADIAN CONTROL CATEGORY 5)

- NOTE: 1. Applicant must be the person supervising the firing of the fireworks.  
2. Submit application to supplier with your order.  
3. Please print.

NAME OF APPLICANT \_\_\_\_\_ AGE \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

POSTAL CODE \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
(AREA CODE)**I HEREBY MAKE APPLICATION TO PURCHASE C.C.C.5 FIREWORKS ON BEHALF OF:**

MYSELF \_\_\_\_\_ OR: SPONSORING ORGANIZATION \_\_\_\_\_

ADDRESS \_\_\_\_\_

LOCATION OF DISPLAY \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_

I CERTIFY THAT I HAVE COMPLETED A COURSE FOR FIREWORKS SUPERVISORS, HAVE READ, UNDERSTAND AND WILL BE GUIDED BY THE PRINCIPLES AND SAFETY RULES OF THE FIREWORKS MANUAL AND BY THE SPECIFIC INSTRUCTIONS OF THE MANUFACTURER GOVERNING A PARTICULAR FIREWORK

FIREWORKS SUPERVISOR'S CARD NO. \_\_\_\_\_ EXPIRY DATE \_\_\_\_\_

DATE \_\_\_\_\_ SIGNATURE OF APPLICANT \_\_\_\_\_

**PERMISSION OF LOCAL AUTHORITY**

NOTE: TO BE COMPLETED BY THE LOCAL AUTHORITY HAVING JURISDICTION OVER FIREWORKS DISPLAYS.

The applicant has complied with local requirements and has permission to hold a fireworks display at the location and time mentioned above.

SIGNATURE OF LOCAL AUTHORITY \_\_\_\_\_

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

CITY/TOWN/MUNICIPALITY \_\_\_\_\_

Note: This permit must be produced on demand under S.20(c) of the Fireworks By-law No. 90-



Schedule I  
to  
Schedule "A"

**HAMILTON-WENTWORTH REGIONAL POLICE**  
**CONSENT TO DISCLOSURE OF PERSONAL INFORMATION**

I, (Surname) \_\_\_\_\_ (Given Names) \_\_\_\_\_  
(Please Print)  
(Maiden name if applicable) \_\_\_\_\_  
  
(Address) \_\_\_\_\_ (Postal Code) \_\_\_\_\_  
  
(Provide previous address if you did not reside at above address for more than five years)  
(Previous Address) \_\_\_\_\_  
  
(DOB:) Year \_\_\_\_\_ (Month) \_\_\_\_\_ (Day) \_\_\_\_\_ (Sex) \_\_\_\_\_ (Phone Number) \_\_\_\_\_  
(Drivers Licence Number) \_\_\_\_\_

Hereby authorize The Hamilton-Wentworth Regional Police Force to release to:

the Manager of the Licence Division of the City of Hamilton, regarding City of Hamilton Fireworks By-law No. 90- , S.15(3)(a), any information pertaining to me, including records of conviction, that may be contained in the records of The Hamilton-Wentworth Regional Police Force,

OR SPECIFICALLY: arson or arson related convictions and/or incidents, improper or careless use of fireworks convictions and/or incidents.

**WAIVER AND RELEASE:**

I hereby release and forever discharge The Hamilton-Wentworth Regional Police, its agents and assigns, and all officers of the said Force, from any and all actions, causes of actions, claims and demands for damages, loss or injury, howsoever arising, which may hereafter be sustained by myself, and waive all rights thereto.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Signature, organization witness

Where required for LICENCING APPLICATION PURPOSES, I hereby authorize the authority of this document to be valid for a period of SIX MONTHS from the above date:

\_\_\_\_\_  
Signature of applicant

**FOR POLICE USE ONLY**

DISPOSITION: (CLERK) \_\_\_\_\_ (DATE) \_\_\_\_\_

**COPIED AND RETURNED:**



## SCHEDULE "B"

To

By-law No. 90-

## PROHIBITED FIREWORKS

Commodity	Description
Cigarette loads or plugs	Small explosive charges designed for insertion in cigarettes or cigars which will cause them to explode after the victim takes a few puffs.
Exploding matches	Resemble ordinary book matches and are designed to explode after a certain delay, usually about the time they are in position to light a cigarette.
Sparkling matches	Also resemble the normal book matches but send out a shower of sparks.
Ammunition for miniature tie clip, cufflink or key chain pistols	A violent type of blank ammunition made up for use as a novelty.
Auto alarms or jokers	Supposedly designed as burglar alarms but are really for a practical joke; when wired to the ignition system of a car they operate with a loud screeching whistle followed by copious emission of smoke and a loud explosion.
"Cherry" bombs, M-80 and silver salutes, and flash crackers	Very violent firecrackers which annually cause serious injuries; they are considered far too violent and contain an excessive charge of a prohibited fireworks composition.
Throw-down and step-on torpedoes, and cracking balls	Small objects designed to explode on impact; some of the latter are so shaped and coloured as to look like children's breakfast cereal or candy balls.
Exploding golf balls	Designed to explode and emit a cloud of smoke on impact.
Stink bombs and smoke bombs	Often made to resemble cherry bombs and salutes; are used for practical jokes (also prohibited from importation under Memorandum D33-1 Importation of Offensive Weapons).
Tear gas pens and launchers	Resemble a pen, may contain a mechanism activated by an explosive, and are supposedly for protection against muggers, but are more commonly used as offensive weapons or as practical jokes (also prohibited under Memorandum D33-1).
Party poppers and table bombs	Designed to project paper streamers or dispense party favours, the smaller ones are made of coloured plastic, shaped like champagne bottles.
Table rockets and bottle skyrockets	Small fireworks designed to be launched from a table or a bottle and bursting in a shower of sparks or a cloud of smoke.
Fake firecrackers and other trick devices or practical jokes	Any article which employs or simulates an explosive or a pyrotechnic for a trick or joke.

## SCHEDULE "C"

To

By-law No. 90-

## DEFINITION OF MAGAZINE

Explosives Act, R.S.C., 1970, c. E-15

Amended 1974-75-76, c. 60

Amended 1980-81-82-83, c. 165, S. 37

"magazine" means any building, storehouse, structure or place in which any explosive is kept or stored, but does not include

- (a) a place where an explosive is kept or stored exclusively for use at or in a mine or quarry in a province in which provision is made by the law of that province for efficient inspection and control of explosives stored and used at or in mines and quarries,
- (b) a vehicle in which an authorized explosive is being conveyed in accordance with this Act,
- (c) the structure or place in which is kept for private use, and not for sale, an authorized explosive to an amount not exceeding that authorized by regulation,
- (d) any store or warehouse in which are stored for sale authorized explosives to an amount not exceeding that authorized by regulation, or
- (e) any place at which the blending or assembling of the inexplusive component parts of an authorized explosive is allowed under section 8.

**SCHEDULE "D"**  
to  
**BY-LAW NO. 90-**



The Corporation of the City of Hamilton  
Hamilton, Ontario

**FORM 2**

# ORDER TO COMPLY

ISSUED TO FIRE WORKS SUPERVISOR		LOCATION
NAME		DATE
ADDRESS	TELEPHONE NO.	TIME
SPONSORING ORGANIZATION		

In accordance with the City of Hamilton Fireworks By-law No. 90- , an inspection was conducted and the following violations were noted:

PART	SECTION	DETAILS OF VIOLATION

If the above violations are not corrected by (date/time) \_\_\_\_\_, you will be prosecuted for failure to comply with the requirements of the Fireworks By-law.

Section 29, of the City of Hamilton Fireworks By-law, reads as follows:

Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00, exclusive of costs.

RECEIVED BY	DATE	OFFICER/INSPECTOR	DATE

**DISTRIBUTION**

1. Fireworks Supervisor
  2. Manager of Licence Division
  3. Issuing Authority
  4. Energy, Mines, and Resources Canada, Explosives Branch
- Attn: Chief Inspector of Explosives

BY-LAW NO. 90 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 29th DAY OF MAY A.D., 1990.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1990

CITY CLERK

MAYOR

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 26 (No Parking Areas) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to Section A (No Parking Anytime) the following items, namely:-

"Elora	South and West	commencing at a point 123 feet north of Elmira to a point 178 feet northwesterly
Ellingwood	West	Oakland to 206 feet south".

and by deleting therefrom the following item, namely:-

"Ellingwood	West	Oakland to 94 feet south".
-------------	------	----------------------------

2. Schedule 27 (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"East 14th	West	East".
Brucedale to Fennell		

3. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Dunsmore	North	commencing at a point 71 feet east of Graham to a point 20 feet easterly therefrom	Anytime".
-----------	-------	------------------------------------------------------------------------------------	-----------

4. Section 28 (Parking Meters) is hereby amended by deleting sub-section (e) in its entirety and by substituting therefor the following, namely:-

"(e) a parked vehicle used for the transporting of one or more physically handicapped persons that clearly displays on the sun visor on the driver's side and visible from external view, an identifying marker issued by the Minister of Transportation".

5. Section 34a (Parking Time Limits) is hereby amended by deleting sub-section (e) in its entirety and by substituting therefor the following, namely:-

"(e) a parked vehicle used for the transporting of one or more physically handicapped persons that clearly displays on the sun visor on the driver's side and visible from external view, an identifying marker issued by the Minister of Transportation".

PASSED THIS

DAY OF

, A.D. 19 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Prins	Southbound	Vittorito".
--------	------------	-------------

2. Schedule 29 (No Stopping Areas) is hereby amended by adding thereto the following items, namely:-

"Highridge	West	Vittorito to a point 113 feet south	Anytime
Albright	South	commencing at a point 460 feet west of Nicklaus to a point 110 feet westerly therefrom	Anytime".

3. Schedule 28 (Taxi Stands) is hereby amended by adding thereto the following item, namely:-

"Queen Victoria	West	60 feet	129 feet north of Queensbury".
-----------------	------	---------	--------------------------------

PASSED THIS                      DAY OF                      , A.D. 19   .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Parts of Block DX, Plan 62M-119  
into Leggett Crescent

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Leggett Crescent by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Leggett Crescent.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

SCHEDULE 'A'

Part of Parcel 1' Reserves -1  
Section M-119

Being parts of Block "DX", Plan M-119

City of Hamilton

Regional Municipality of Hamilton-Wentworth  
designated as Parts 1,4 and 5 on Plan 62R-7152  
being part of the Parcel.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

To incorporate Parts 6,7 and 8, Plan 62R-7152  
into Leggett Crescent

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Leggett Crescent by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Leggett Crescent.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

SCHEDULE 'A'

Part of Lot 7, Concession 7, in the former Township of Barton  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
designated as Parts 6,7 and 8 on Plan 62R-7152.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 991 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-27C and W-27D of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

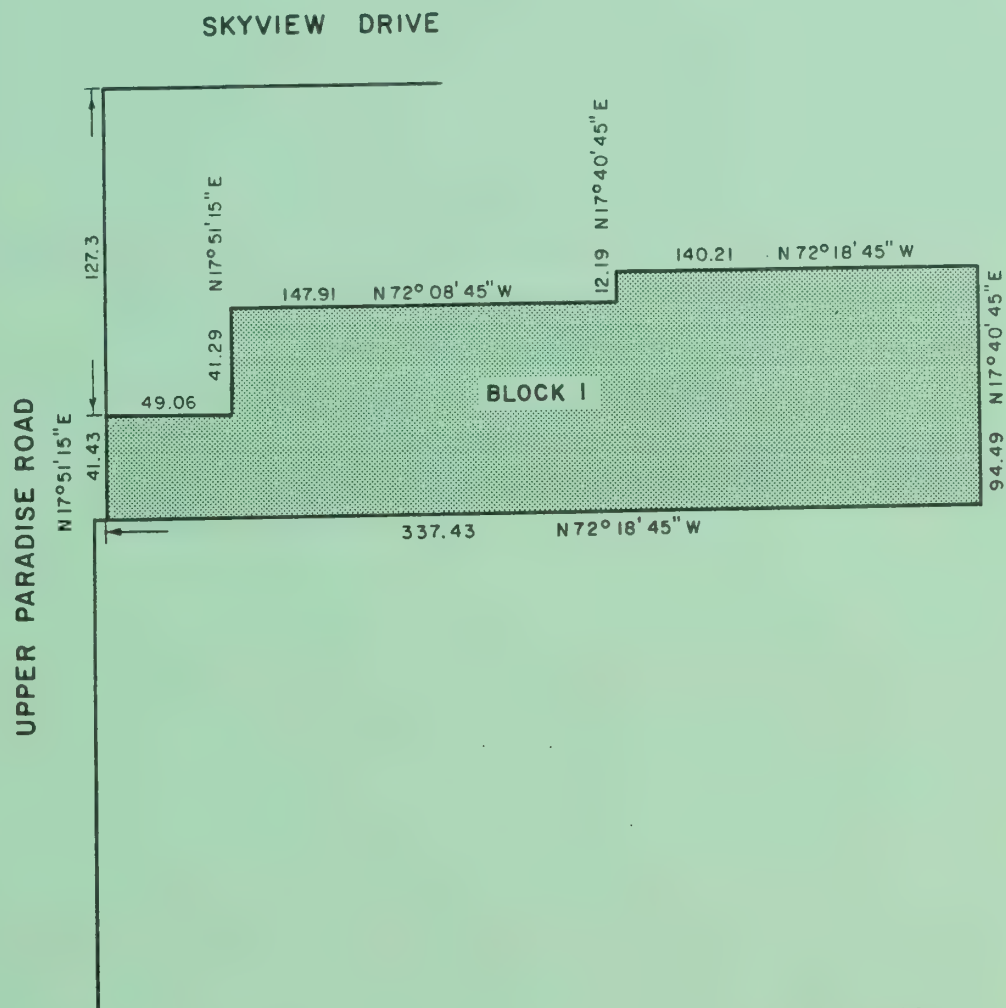
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 9 R.P.D.C. 9, April 24  
Yaser Sharif, Owner  
ZA-89-111



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1990

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A"**  
**MAP FORMING PART OF**  
**BY-LAW NO. 90-**  
**TO AMEND BY-LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**LEGEND**

BLOCK I



CHANGE IN ZONING FROM "AA" (AGRI-  
CULTURAL) DISTRICT TO "C" (URBAN  
PROTECTED RESIDENTIAL, ETC.)  
DISTRICT.

North



Scale  
NOT TO SCALE

Date  
APRIL 20, 1990

Reference File No.  
ZA 89-111

Drawn By  
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Adopt:

Official Plan Amendment No. 90

Respecting:

LAND LOCATED AT MUNICIPAL NO. 26 ARROWSMITH ROAD,  
WITHIN THE NASHDALE NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 90 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 10 R.P.D.C. 5(a), May 8  
DiMarcantonio Industries Ltd.,  
(S. DiMarcantonio, D. DiMarcantonio  
and P. DiMarcantonio), Owners  
ZA-88-119

**AMENDMENT NO. 90**  
**TO THE**  
**CITY OF HAMILTON OFFICIAL PLAN**

The following text, together with Schedule "B", attached hereto, constitutes Official Plan Amendment No. 90.

**PURPOSE**

The purpose of this Amendment is to establish a "Special Policy Area" for the subject lands to permit general office uses, within the Industrial designation.

**LOCATION**

The lands affected by this Amendment are known municipally as No. 26 Arrowsmith Road, within the Nashdale Neighbourhood.

**BASIS**

The proposal is to permit surplus space within an existing manufacturing establishment to be utilized for general office uses. The proposal can be permitted on the following basis:

- The applicant has advised that changes in the nature of his manufacturing business have lead to reduced space requirements. The applicant wishes to lease the excess space for office uses, rather than carry the costs of the vacant space;
- The Zoning By-law amendment will restrict the proposed office uses to the existing building only. Permitting additional uses within the building would not jeopardize the Industrial nature of the area; and,
- The requested general office use would not interfere with the existing manufacturing use.

**ACTUAL CHANGES**

- 1) The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.46:

"In addition to the permitted uses set out in Subsection A.2.3 - Industrial Uses and Policy A.2.9.3.9, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 51, and known municipally as 26 Arrowsmith Road, general office uses will be permitted."

- 2) The following be added to Schedule "B" - Special Policy Areas:

- Special Policy Area 51; and,
  - "Area 51 refer to Policy A.2.9.3.46", in the legend,
- as shown on the attached Schedule "B" of this Amendment.

**IMPLEMENTATION**

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 90- , passed on the day of , 1990.

**The Corporation of the**

**City of Hamilton**

---

City Clerk

---

Mayor

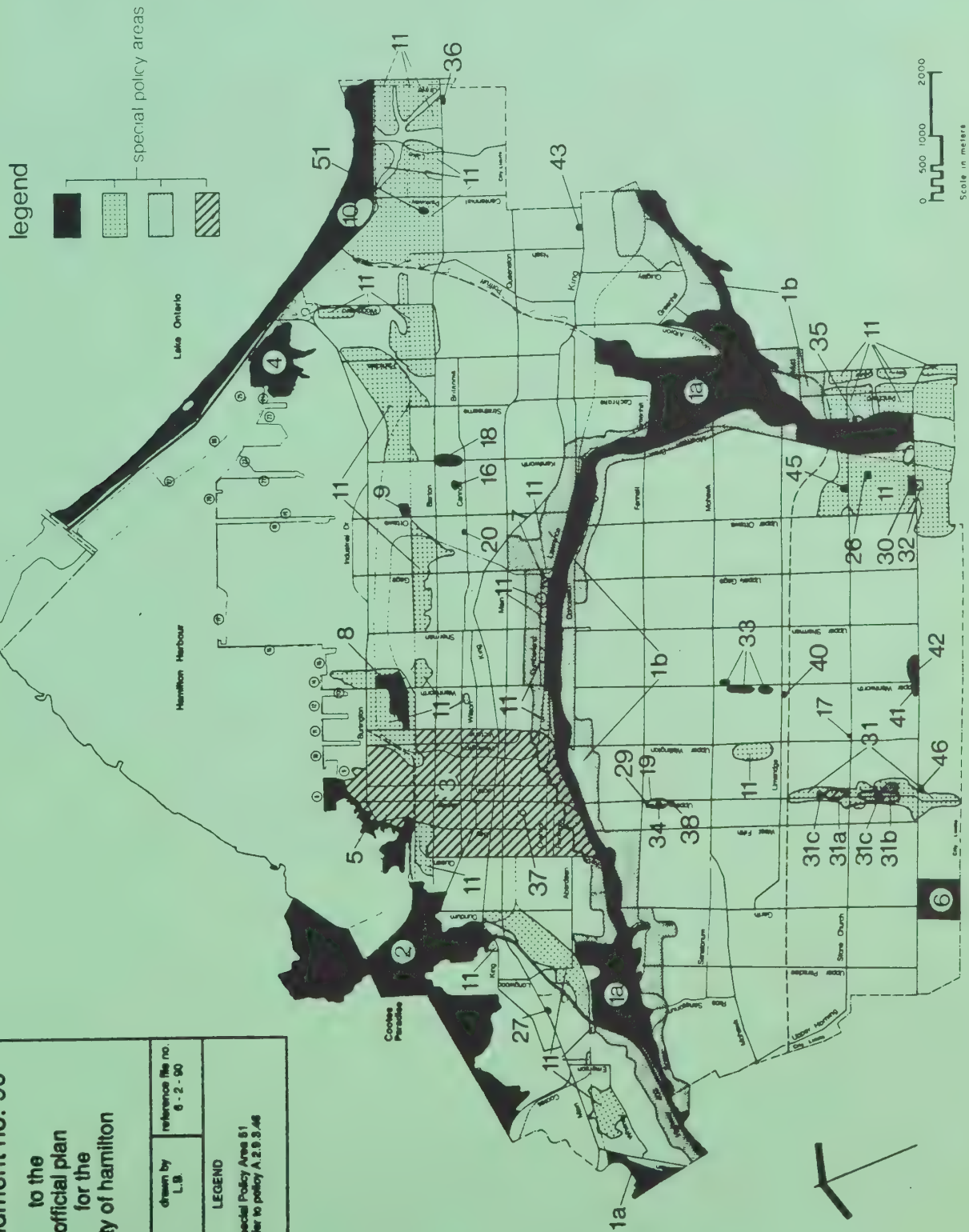
CL-M:CS

Amendmen



# **schedule B** **amendment no. 90** to the official plan for the city of hamilton

date May, 1990	drawn by L.B.	reference file no. 6 - 2 - 90
<p><b>LEGEND</b></p> <p>Special Policy Area S1              refer to policy A 2.3.46</p>		



## **special policy areas**

AREA	REFER TO SUBSECTION
1(a)	A 2.9.1.
1(b)	A 2.9.1.
2	A 2.9.2.
3	A 2.9.3.

AREA	REFER TO POLICY
------	--------------------

3	A 2.9.3.1.
4	A 2.9.3.2.
5	A 2.9.3.3.
6	A 2.9.3.4.
7	A 2.9.3.5.
8	A 2.9.3.6.
9	A 2.9.3.7.
10	A 2.9.3.8.
11	A 2.9.3.9.
16	A 2.9.3.14.
17	A 2.9.3.15.
18	A 2.9.3.16.
19	A 2.9.3.17.
20	A 2.9.3.18.
26	A 2.9.3.21.
27	A 2.9.3.22.
29	A 2.9.3.24.
30	A 2.9.3.25.
31	A 2.9.3.26.
31(a)	A 2.9.3.26.
31(b)	A 2.9.3.26.
31(c)	A 2.9.3.26.
32	A 2.9.3.27.
33	A 2.9.3.28.
34	A 2.9.3.29.
35	A 2.9.3.30.
36	A 2.9.3.31.
37	A 2.9.3.32.
38	A 2.9.3.33.
40	A 2.9.3.35.
41	A 2.9.3.36.
42	A 2.9.3.37.
43	A 2.9.3.38.
46	A 2.9.3.41.

Refer to Schedule B - 1 for Special  
 Policy Areas in the Downtown

**schedule B**  
 to the official plan  
 for  
 the city of hamilton

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 648 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-37A and W-37B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "RT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 7 R.P.D.C. 4, March 27  
Mary Agnes Kosar and Gail Elizabeth Holmes, Owners  
ZA-89-124

<p><i>PROPOSED MOUNTAIN FREEWAY</i></p>							
<p>NOTE: ALL DIMENSIONS ARE IN METRES</p>							
<p>THIS IS SCHEDULE "A" TO BY-LAW NO. 90- _____ PASSED THE _____ DAY OF _____ 1990</p>							
<p>_____ Clerk</p>	<p>_____ Mayor</p>						
<p style="text-align: center;"><b>CITY OF HAMILTON</b></p> <p style="text-align: center;">SCHEDULE "A"</p> <p style="text-align: center;">MAP FORMING PART OF</p> <p style="text-align: center;">BY-LAW NO. 90-</p> <p style="text-align: center;">TO AMEND BY-LAW NO. 6593</p> <p style="text-align: center;">Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>	<p><u>LEGEND</u></p> <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="width: 30px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></div> <p>CHANGE IN ZONING FROM "RT-20" (TOWNHOUSE - MAISONETTE) DISTRICT, MODIFIED TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.</p> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center; vertical-align: top;"> <p>North</p> </td> <td style="width: 33%; text-align: center; vertical-align: top;"> <p>Scale</p> <p><b>NOT TO SCALE</b></p> </td> <td style="width: 33%; text-align: center; vertical-align: top;"> <p>Reference File No.</p> <p><b>ZA 89-124</b></p> </td> </tr> <tr> <td></td> <td style="text-align: center; vertical-align: top;"> <p>Date</p> <p><b>MARCH 29, 1990</b></p> </td> <td style="text-align: center; vertical-align: top;"> <p>Drawn By</p> <p><b>Z.K.</b></p> </td> </tr> </table>	<p>North</p>	<p>Scale</p> <p><b>NOT TO SCALE</b></p>	<p>Reference File No.</p> <p><b>ZA 89-124</b></p>		<p>Date</p> <p><b>MARCH 29, 1990</b></p>	<p>Drawn By</p> <p><b>Z.K.</b></p>
<p>North</p>	<p>Scale</p> <p><b>NOT TO SCALE</b></p>	<p>Reference File No.</p> <p><b>ZA 89-124</b></p>					
	<p>Date</p> <p><b>MARCH 29, 1990</b></p>	<p>Drawn By</p> <p><b>Z.K.</b></p>					

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE NORTHWEST CORNER OF JAMES STREET NORTH  
AND VINE STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District,

the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2 shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14(5) of By-law No. 6593, a building having a gross floor area of not more than 5.3 times the area of the lot shall be permitted,
- (b) notwithstanding Section 14(2)(ii) of By-law No. 6593, no side yard shall be required along the easterly and northerly side lot lines for the building having a height of not more than 7 storeys and not more than 30 m in height,
- (c) notwithstanding Section 14(3)(iii)(c) of By-law No. 6593, a rear yard having a depth of not less than 3.0 m shall be provided and maintained,
- (d) notwithstanding Section 18A(1)(d) of By-law No. 6593, not less than two loading spaces having dimensions of not less than 9.0 m x 3.7 m x 4.3 m shall be provided and maintained.



3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1168.

5. Sheet No. W-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1168.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

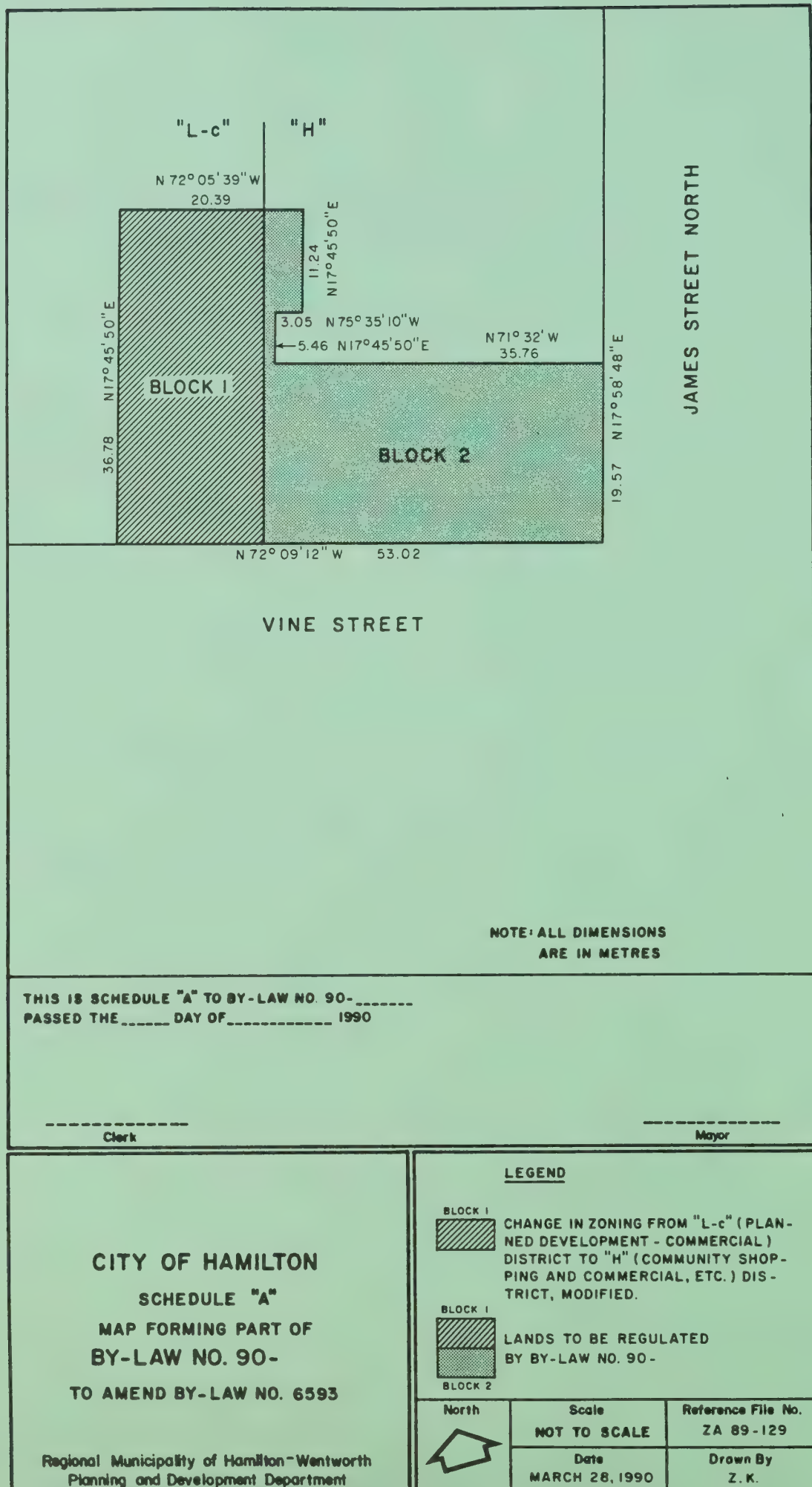
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 7 R.P.D.C. 5(a), March 27  
Beume Real Estate Ltd., Owner  
ZA-89-129





The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT THE NORTHWEST CORNER OF JAMES STREET NORTH  
AND VINE STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

124. Land located at the northwest corner of James Street North and Vine Street, shown on Appendix 124 hereto annexed and forming part of this by-law.

2. Appendix 124 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

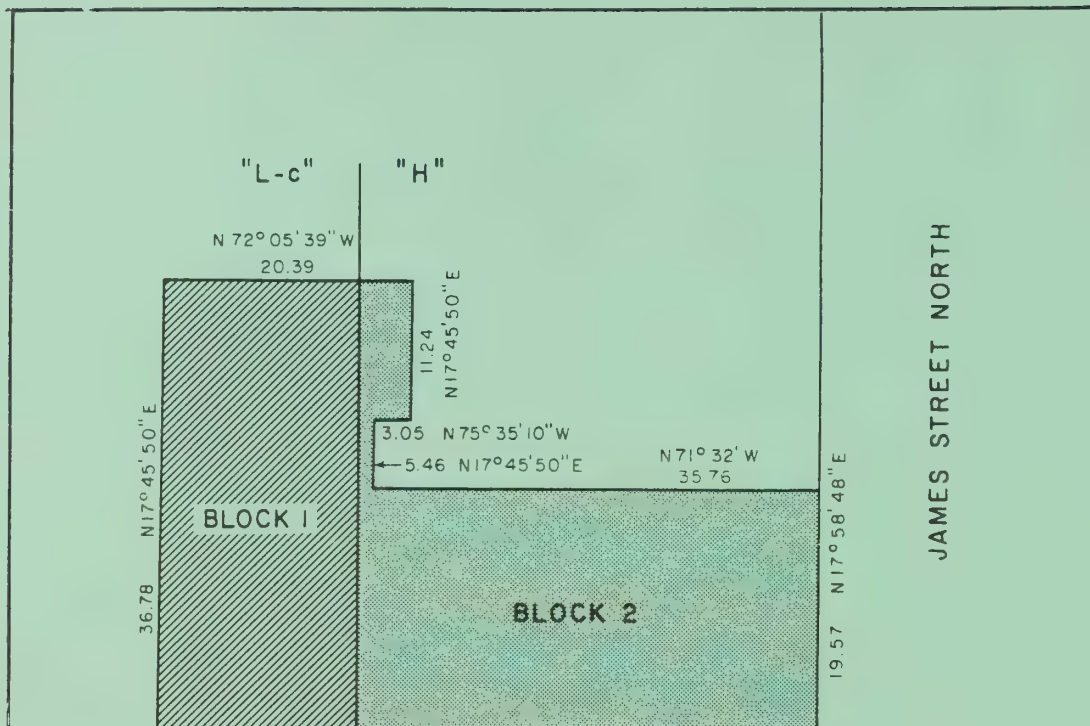
PASSED this                      day of

A.D. 1990.

City Clerk

Mayor

(1990) 7 R.P.D.C. 5(b), March 27  
Beume Real Estate Ltd., Owner  
ZA-89-129



VINE STREET

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO 90-  
PASSED THE \_\_\_\_ DAY OF \_\_\_\_\_ 1990

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON APPENDIX 124

TO BY-LAW NO. 79-275

AS AMENDED BY  
BY-LAW NO. 87-223

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## LEGEND



LANDS DESIGNATED UNDER THIS  
BY-LAW AS AN AREA OF SITE PLAN  
CONTROL PURSUANT TO SECTION 40  
OF THE PLANNING ACT.

North 	Scale NOT TO SCALE	Reference File No. ZA 89-129
	Date MARCH 28, 1990	Drawn By Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF MUD STREET  
AND WEST OF THE CITY LIMITS

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-79B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

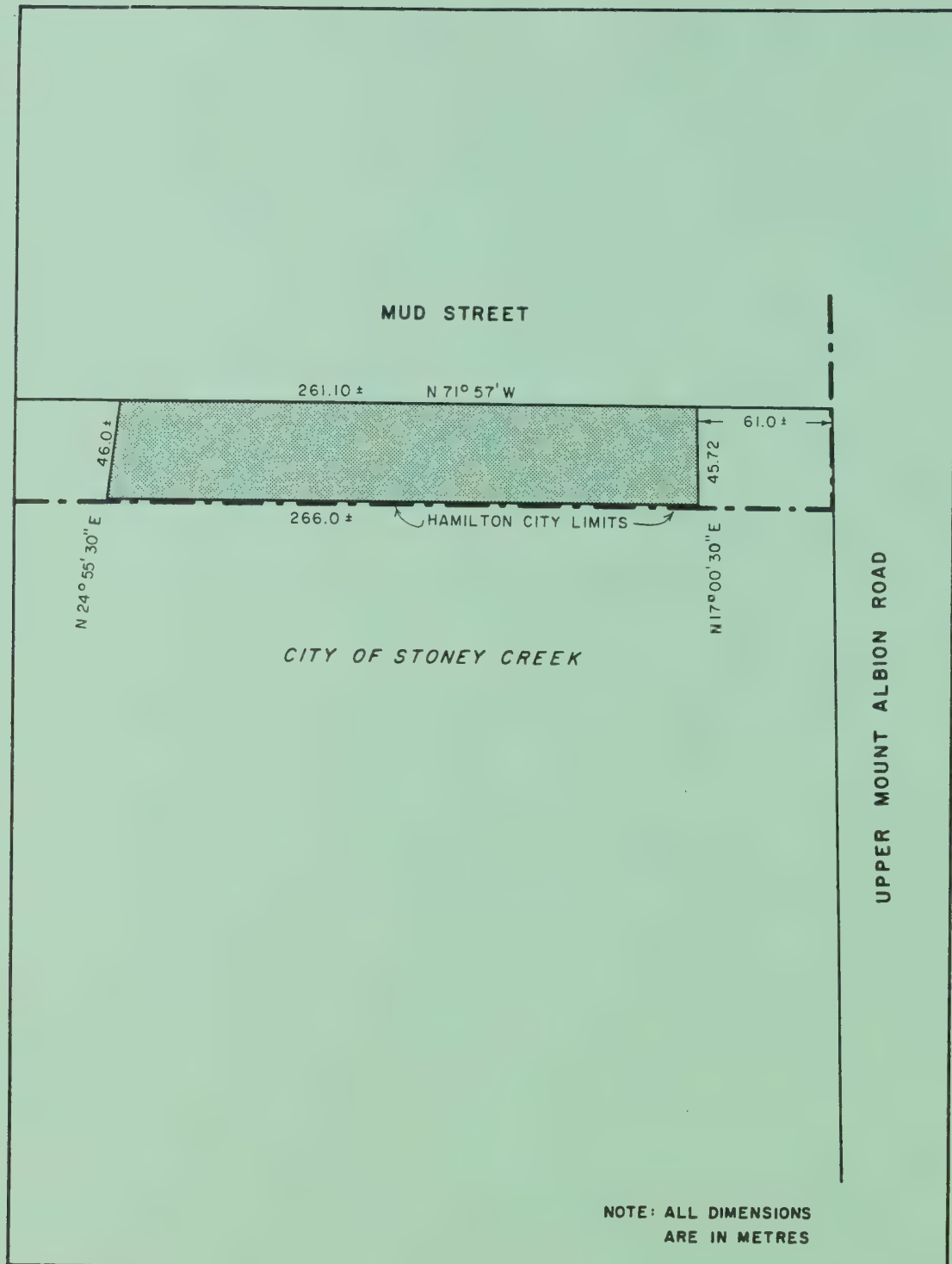
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 6 R.P.D.C. 11, March 13  
C. Valery Construction, Owner  
Amended ZA-89-80





THIS IS SCHEDULE "A" TO BY-LAW NO. 90-\_\_\_\_\_  
 PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1990

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

# CITY OF HAMILTON

SCHEDULE "A"  
 MAP FORMING PART OF  
 BY-LAW NO. 90-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

## LEGEND

 CHANGE IN ZONING FROM "AA" (AGRI-CULTURAL) DISTRICT TO "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.

North



Scale  
 NOT TO SCALE

Date  
 MARCH 15, 1990

Reference File No.  
 ZA 89 - 80

Drawn By  
 Z. K.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 286 SANFORD AVENUE NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 89, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-21 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "K" (Heavy Industry, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 11 of By-law No. 6593, the building existing at the date of passing of this by-law may be converted to a multiple dwelling containing not more than 74 dwelling units, provided not less than 30% of the dwelling units shall be designated for the accommodation of senior citizens not less than 60 years of age;
- (b) notwithstanding Section 18A(8) of By-law No. 6593 the 4 parallel parking spaces adjacent to the southerly side property line shall have a width of not less than 2.31 m;

- (c) notwithstanding Section 18A(14) of By-law No. 6593, parking spaces may be permitted in the required front yard;
- (d) notwithstanding paragraph 1(g) of Table 1 referred to in Section 18A of By-law No. 6593, parking spaces shall be provided and maintained for the multiple dwelling on the following basis:
  - (i) 0.3 of a space per dwelling unit for senior citizens referred to in Section 2.(a); and
  - (ii) 0.8 of a space per dwelling unit for persons other than senior citizens referred to in Section 2.(a);
- (e) paragraph 2 of Table 3 referred to in Section 18A of By-law No. 6593 shall not apply;
- (f) notwithstanding Table 6 referred to in Section 18A of By-law No. 6593, the required manoeuvring space aisle width for the 4 parallel parking spaces shall be not less than 3.5 m.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1170.

5. Sheet No. E-21 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1170.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 8 R.P.D.C. 23(b), April 10  
Meridian Co-operative Homes/Homestarts,  
Prospective Owner  
ZA-89-55

# MYLER STREET

SANFORD AVENUE NORTH

WESTINGHOUSE AVENUE



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1990

\_\_\_\_\_  
Clerk


\_\_\_\_\_  
Mayor


## CITY OF HAMILTON

SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 90-  
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### LEGEND

 CHANGE IN ZONING FROM "K" (HEAVY INDUSTRY, ETC.) DISTRICT TO "E" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT, MODIFIED.

North 	Scale NOT TO SCALE	Reference File No. ZA 89-55
	Date APRIL 11, 1990	Drawn By Z. K.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

and To Repeal Zoning By-law No. 86-59

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1519 (PART OF),  
1543 AND 1549 RYMAL ROAD EAST

**WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 86-59 on the 28th day of January 1986 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "M-12" and "M-14" Districts, in respect of the land located at Municipal Nos. 1543 and 1549 Rymal Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 16 of the 5th Report of the Planning and Development Committee at its meeting held on the 27th day of February 1990, directed that Zoning By-law No. 86-59 be repealed in its entirety and that Zoning By-law No. 6593, as amended by By-law No. 86-59 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 86-59 is hereby repealed in its entirety.

2. The "M-12" (Prestige Industrial) District and the "M-14" (Prestige Industrial) District provisions, as contained in Sections 17D and 17F of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1, 2, 3 and 4, the extent and boundaries of each of which Blocks are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Table 4 referred to in Section 17D(1)(b) and Section 17F(1)(b) of Zoning By-law No. 6593, the following uses shall be permitted to have an ancillary retail sales area not exceeding 25% of the gross floor area of the building:

<u>S.I.C. Identification Number</u>	<u>Commercial Use</u>
5621	Hardware, Wholesale
5622	Plumbing, Heating and Air Conditioning, Equipment and Supplies Wholesale
5631	Lumber, Plywood and Millwork, Wholesale
5632	Paint, Glass and Wallpaper, Wholesale
5639	Other Building Materials, Wholesale

- (b) notwithstanding Section 17D(2)(e)1.(i) of By-law No. 6593, there shall be provided and maintained a landscaped area in the required front yard having a depth of not less than 12.0 m abutting the street line, except for any area used for access driveways;
- (c) notwithstanding Section 17D(2)(h)(4) and Section 17F(2)(h)(4) of By-law No. 6593, the total area used for storage outside of a building or structure shall not exceed 62% of the lot area subject to the following requirements that:
1. the outside storage area shall be used exclusively for building supplies such as, but not limited to, sand, gravel, concrete block, bricks, lumber and equipment;
  2. no stockpile of building supplies located in the outside storage area shall exceed a height of 4.0 metres;
  3. Section 18(3)(vi) of By-law No. 6593 shall not apply to the outside storage area;
- (d) notwithstanding Section 17D(2)(h)(2) and Section 17F(2)(h)(2) of By-law No. 6593, every side yard or rear yard that is used for outside storage of any material or any equipment shall be screened from external view by the erection and maintenance of a chain link fence not less than 1.5 m in height and not more than 3.0 m in height and a landscaped area with a planting strip having a width of not less than 1.2 m along the side and rear lot lines adjacent to the outside storage area shall be required;



- (e) notwithstanding Section 17D(2)(h)(1) and Section 17D(2)(h)(2) of By-law No. 6593, outside storage shall be permitted in the non-required front yard on Block 1 only, provided that it is screened from external view by a chain link fence not less than 1.5 m in height and not more than 3.0 m in height;
- (f) Section 17D(2)(i) and Section 17F(2)(i) of By-law No. 6593 shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-12" District and "M-14" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1163.

5. Sheets No. E-69D and E-69E of the District Maps are amended by marking the lands referred to in section 2 of this by-law, S-1163.

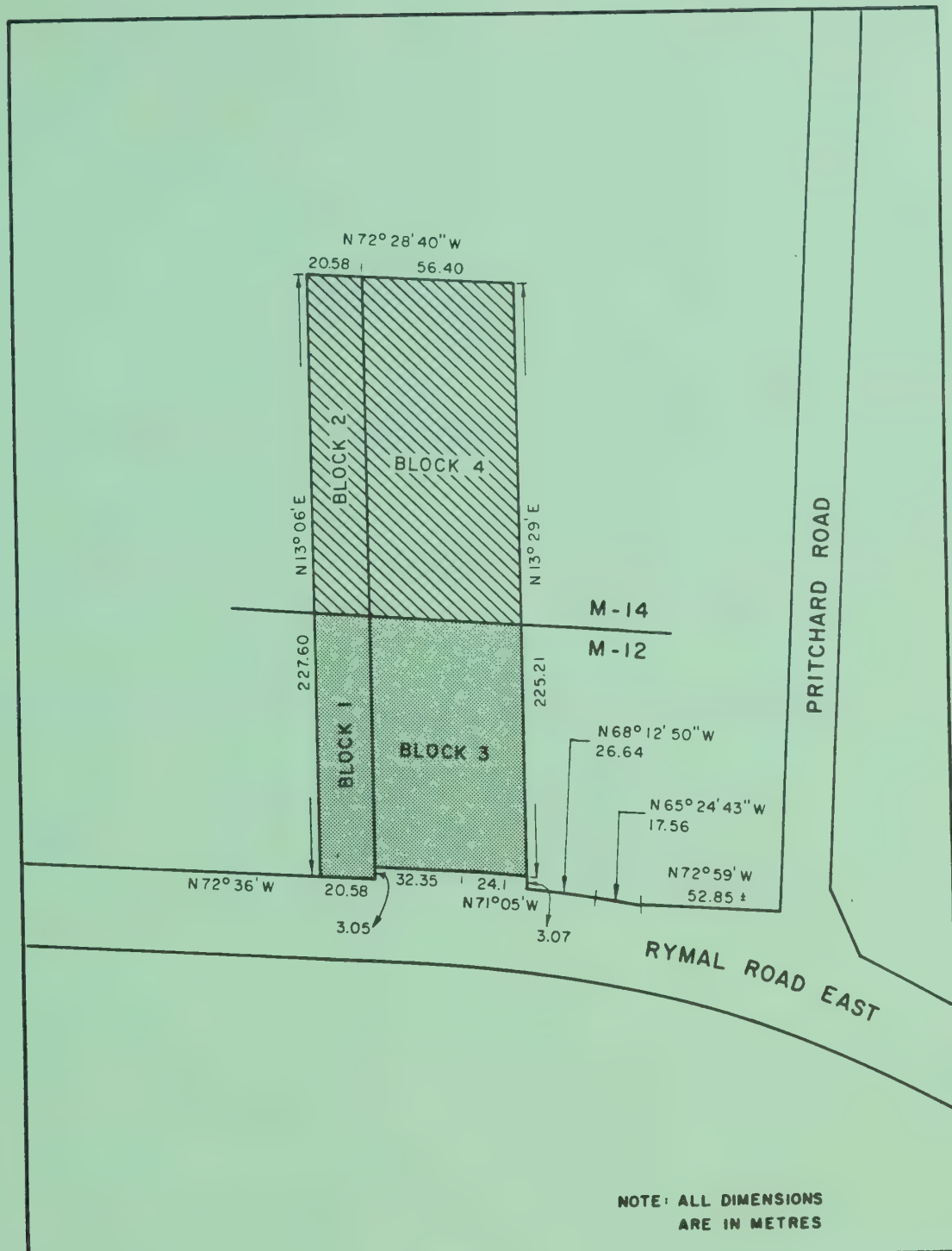
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 5 R.P.D.C. 16, February 27  
 Ferrell Builders Supply, Owner  
 ZA-89-127



THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1990

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON

SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 90-  
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## LEGEND

BLOCKS  
1 & 3

BLOCKS  
2 & 4



LANDS TO BE REGULATED  
BY BY-LAW NO. 90-

North



Scale

NOT TO SCALE

Date

FEB. 28, 1990

Reference File No.

ZA 89-127

Drawn By

Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Repeal By-law No. 90-40

and To Adopt:

Official Plan Amendment No. 84

Respecting:

LAND LOCATED AT MUNICIPAL NO. 820 RYMAL ROAD EAST,  
WITHIN THE BROUGHTON WEST NEIGHBOURHOOD

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-40 on the 13th day of February 1990 to adopt Official Plan Amendment No. 84;

AND WHEREAS there was an incorrect reference made to Municipal No. 420 Rymal Road East in the heading of the said by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 9 of the 11th Report of the Planning and Development Committee at its meeting held on the 29th day of May 1990, directed that By-law No. 90-40 be repealed and replaced as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 90-40 is hereby repealed in its entirety.
2. Amendment No. 84 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
3. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 1 R.P.D.C. 13(a), January 30  
(1990) 11 R.P.D.C. 9, May 29  
J. and E. Spenuk, Owners  
ZA-89-94

**Amendment No. 84**  
**to the**  
**City of Hamilton Official Plan**

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 84.

**PURPOSE**

The purpose of this Amendment is to redesignate the subject lands from "Residential" to "Commercial" on Schedule "A" - Land Use Concept of the Official Plan.

**LOCATION**

The lands affected by this Amendment are known municipally as 820 Rymal Road East, within the Broughton West Neighbourhood.

**BASIS**

The proposal is to develop the subject lands for a commercial plaza, containing retail stores, professional offices, etc. Council has deemed the proposal appropriate development at this location, and compatible with the surrounding land use pattern.

**ACTUAL CHANGE**

Schedule "A" - Land Use Concept be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.

**IMPLEMENTATION**

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 90-\_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 1990.

**The Corporation of the**  
**City of Hamilton**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



# **schedule A** **amendment no. 84**

to the  
official plan  
for the  
city of hamilton

legend		
area to be changed from "Residential to "Commercial"		
date	drawn by	reference file no
Jan 04, 1990	R.L.	6-2-94

DEFERRED NO D-8  
UNDER SECTION 14(3) OF  
THE PLANNING ACT

Lake Ontario



**land use concept**  
**legend**

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central policy area
- special policy area
- windermere basin
- pie numbers
- and regional centre

**schedule A**  
to the official plan  
for  
the city of hamilton



K.E. A'  
CITY C

J.J. SCHATZ  
DEPUTY CITY CLERK

URBAN/MUNICIPAL

CA4 ON HBL AOS

A31

1990



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

TEL: 546-2700  
FAX: 546-2095

**THE CORPORATION OF THE CITY OF HAMILTON**  
OFFICE OF THE CITY CLERK

**MEETING OF THE COUNCIL**  
**OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, June 26, 1990**  
**7:30 o'clock p.m.**  
**Council Chambers, City Hall**

**A G E N D A**

**1. Opening Prayer**

The Reverend Gordon Fish  
St. John, St. Andrew and St. David's, Presbyterian  
19 Tisdale North at King William

**2. Civic Award Presentations**

- (a) Theresa Wolf  
Ontario Elite Gymnastics Championship
- (b) Bishop Ryan Wrestling Team

**3. Minutes**

May 29, 1990

**4. Petitions and Correspondence**



**5. Reports of the Standing Committees**

- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (e) Information Systems Committee
- (f) Licencing Committee
- (g) Finance and Administration Committee

**6. Notices of Motion for Next Meeting**

**7. First Reading of the Bills**

**8. Second Reading of the Bills - Committee of the Whole**

**9. Third Reading of the Bills**

**10. Question Period**

**11. Adjournment**



M I N U T E S





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, MAY 29, 1990  
7.30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling,  
Gallagher, Murray.

ABSENT: Alderman Ross (Regional Business)

His Worship Mayor Robert M. Morrow called the meeting to order.

Father Joseph Fulop, St. Stephen's Hungarian Roman Catholic Church, led the  
Council in prayer.

\* \* \* \* \*

His Worship Mayor Robert M. Morrow read the following Proclamations:

- (a) Wednesday, May 30, 1990 - "Fit Day"
- (b) Saturday, June 2, 1990 - "Als Flower Day"

\* \* \* \* \*

Presentation regarding proceeds from Special Events at Memorial Cup to The  
Greater Hamilton Food Bank.

\* \* \* \* \*

Silver pins were presented to members of the Hamilton Seekers Volleyball Club  
in recognition of winning the Ontario Bantam Volleyball Championships held in  
Hamilton on February 17, 1990.

\* \* \* \* \*

The minutes of the special meeting of May 3, 1990 and the regular meeting of May 8, 1990, were taken as read and approved.

\* \* \* \* \*

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Resolution dated May 1, 1990, from Mr. Brian W. Knott, Solicitor/Clerk, The Corporation of the City of Chatham, P.O. Box 640, Chatham, Ontario, re "Use of Refillable Soft Drink Beverage Containers".  
**Referred to Transport and Environment Committee.**
2. Resolution dated May 7, 1990, from Mr. C. D. Weldon, Chief Administrative Officer, The Town of Richmond Hill, 266 Yonge Street, Toronto, Ontario, re "funding for municipal road improvements".  
**Referred to Finance and Administration Committee.**
3. Application dated May 8, 1990, from Buckingham York Ltd., 57 John Street South, Hamilton, Ontario, for a modification to the zoning of property located at 150-158 Catharine Street South. **Received.**
4. Application dated May 8, 1990, from Glenville Lionel Brewster and Dorothy Merline Brewster, 19 Holton Avenue South, Hamilton, Ontario, for a change in zoning of property located at 218-220 Maplewood Avenue.  
**Received.**
5. Application dated May 11, 1990, from Mintland Developments Inc., 27 Bowes Road, Unit 5, Concord, Ontario, for a change in zoning of property located at 252, 256, 260 and 262 Victoria Avenue North.  
**Received.**
6. Application dated May 15, 1990, from 789068 Ontario Ltd., (Dan Valentini), c/o P.O. Box 192, Hamilton, Ontario, for a modification to the zoning of property located at 89 Highland Road. **Received.**
7. Application dated May 16, 1990, from Christine Spera-Fazackerly, 267 Beach Road, Hamilton, Ontario, for a modification to the zoning of property located at 1 Mount Royal Avenue. **Received.**
8. Application dated May 22, 1990, from Malatesta Bros. Construction, 145 Reid Avenue South, Hamilton, Ontario, for a change in zoning of property located at 1461 Upper Gage Avenue. **Received.**
9. Application dated May 23, 1990, from Allan John Beattie, c/o 801 Mohawk Road West, Hamilton, Ontario, for a modification to the zoning of property located at 1280 Rymal Road East. **Received.**

10. Application dated May 24, 1990, from Hamilton Builders' Supply Ltd., Box 6026, Station "F", Hamilton, Ontario, for a modification to the zoning of property located at 164 Limeridge Road East. **Received.**
11. Letter dated May 18, 1990, from Mary Kaye Clarke, Chairman, the Board of Education for the City of Hamilton, 100 Main St. West, Hamilton, Ontario, re presentation of a "mock" invoice to the Provincial Government.  
**Received.**
12. Letter dated May 16, 1990, from Mrs. M. Gallagher, Secretary, Economic, Development and Planning Committee, The Regional Municipality of Hamilton-Wentworth, 119 King St. West, Hamilton, Ontario, re application to the Federation of Canadian Municipalities (F.C.M.) for financial assistance under the "Affordability and Choice Today" (A.C.T. program (PLA 90-55).  
**Received.**
13. Letter dated May 16, 1990, from Mrs. M. Gallagher, Secretary, Economic, Development and Planning Committee, The Regional Municipality of Hamilton-Wentworth, 119 King St. West, Hamilton, Ontario, re request by the City of Hamilton for the Region to endorse a request to the Ministry of Municipal Affairs regarding second stage of funding for the Central Business District Study.  
**Received.**

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Gallagher in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. - 16.

NAYS: 0 - CARRIED.

\* \* \* \* \*

(A) FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT.

\* \* \* \* \*

(A) FINANCE AND ADMINISTRATION COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Drury and seconded by Alderman Copps.

RESOLVED: that Subsections (b) and (c) of Section 14, dealing with the Wheelchair Accessible Taxicab Licences be amended by deleting the number "5" in the first line of Subsection (b), and the second line of Subsection (c), and inserting in lieu thereof the number "3".  
CARRIED.

\* \* \* \* \*

Recorded vote on Section 34. (Re: \$15,000.00 Grant to the Hamilton Minor Football Association).

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Murray. - 11.

NAYS: Aldermen Hinkley, Copps, Gallagher. - 3. CARRIED.

\* \* \* \* \*

Alderman Smith declared personal interest in, took no part in the debate, and refrained from voting on Section 35 which deals with the approval of a grant of \$400.00 to the Mount Hamilton Horticultural Society, as he is a member of the Mount Hamilton Horticultural Society.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Agro.

RESOLVED: that Section 37 regarding the Fireworks By-law be referred back and, further, that Subsection (e) of Section 43, reading as follows:

"(e) Bill A-35 - A By-law Respecting Fireworks."

be deleted. - CARRIED.

\* \* \* \* \*



Recorded vote on Section 40.

(Re: \$25,000. Grant to  
the Cari Can  
Festival.)

YEAS: Mayor Morrow; Alderman Kiss, Agro, Hinkley, Drury,  
Agostino, Lombardo, Smith, Jackson, Merling,  
Murray. - 11.

NAYS: Aldermen Copps, Gallagher. - 2. CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman  
Cooke.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be  
invoked for this meeting of City Council in  
order to permit consideration of resolutions  
respecting:

- (a) the flying of the Philippine flag.
- (b) the use of City Hall facilities by  
the "It's Your Day" festival organizers.
- (c) the use of City Hall facilities by the  
Hamilton Street Railway.
- (d) the use of the Council Chamber for a  
Mayor's Reception and Proclamation. CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman  
Cooke.

RESOLVED: That the following be added as Section 44.

"44. That the request of the Philippine  
Community to fly the Philippine Flag  
at City Hall from 1990 June 12 to June  
18 inclusive, in recognition of the  
declaration of Philippine Independence,  
be approved." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Cooke.

RESOLVED: that the following be added as Section 45.

"45. That the request of the 'It's Your Day' festival organizers for permission to use an area on the second floor of City Hall for a press conference on 1990, Friday, June 8 from approximately 4.00 p.m. to 5.00 p.m., be approved."

CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Cooke.

RESOLVED: that the following be added as Section 46.

"46. That the request of the Hamilton Street Railway for permission to use the City Hall forecourt to display a transit shelter on 1990 June 11 from approximately 7.00 a.m. until 3.00 p.m. (during the Transportation Services Committee meeting), be approved."

CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Cooke.

RESOLVED: that the following be added as Section 47.

"47. That permission be granted for the use of the Council Chamber for a Mayor's reception and proclamation to declare June 13, 1990 "Sheila Copps Day" in the City of Hamilton.

CARRIED.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT.

It was moved by Alderman Murray and seconded by Alderman Merling.

RESOLVED: that Subsection (b) of Section 1 regarding the method of financing the \$34,000.00 for the International Children's Sports Games to be held in Uzhgorod, Ukraine, be amended by deleting from the second paragraph the words "The Finance and Administration Committee recommends".

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

Recorded vote on Section 11. (Re: Trans-Northern  
Pipelines Inc. 16"  
Pipeline Located on  
Lands North of Mud  
Street through King's  
Forest Park.)

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Murray. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman Gallagher.

RESOLVED: that Section 16 regarding an additional ice surface at the Mountain Arena Site be amended by adding at the end of the section:

"That unless the normal process of tendering needs reconsideration, that the emergency purchasing procedure be followed to approve the awarding of the contract, to be reported at the next regular meeting of Council."

CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Drury.

RESOLVED: that Section 19 regarding funding for the Wesley Urban Ministries - Victoria Park Community Centre, be referred back. -

YEAS: Aldermen Agro, Drury, Copps, Christopherson, Lombardo, Smith, Merling. - 7.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Agostino, Jackson, Gallagher. - 7. LOST.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Jackson.

RESOLVED: that the fourth paragraph of Section 19 regarding funding for the Wesley Urban Ministries - Victoria Park Community Centre, be amended by deleting the following:

"the Finance and Committee recommends",

and inserting in lieu thereof the words:

"The Treasurer recommends". - CARRIED.

\* \* \* \* \*

Recorded vote on the fourth paragraph of Section 19, as amended.

(Re: The Method of  
Financing the  
\$46,000. for the  
Wesley Urban  
Ministries -  
Victoria Park  
Community Centre.)

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Christopherson, Agostino, Jackson. - 6.

NAYS: Aldermen Agro, Hinkley, Drury, Copps, Lombardo, Smith, Gallagher, Murray. - 8. LOST.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the method of financing the \$46,000. grant to the Wesley Urban Ministries - Victoria Park Community Centre, be referred to the Finance and Administration Committee. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Murray. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT.

It was moved by Alderman Smith and seconded by Alderman Christopherson.

RESOLVED: that Section 2 regarding the issuance of demolition permits be amended to include the following:

"(d) 501 Rennie Avenue". - CARRIED.

\* \* \* \* \*

Recorded vote on Section 10. (Re: Relocation of a Pipeline Through King's Forest Park.)

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Murray. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*



Recorded vote on Section 18.

(Re: Change in Zoning of  
Property Located at  
912 Rymal Road East.)

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Hinkley, Drury,  
Christopherson, Agostino, Lombardo, Smith, Jackson,  
Murray. - 11.

NAYS: Alderman Gallagher. - 1. CARRIED.

\* \* \* \* \*

(E) INFORMATION SYSTEMS COMMITTEE - THIRD REPORT.

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that Section 5 regarding City Aldermen being  
provided with remote (dial-up) access to the  
Electronic Mail System (PROFS) be referred  
back. - CARRIED.

\* \* \* \* \*

(F) CITY OF HAMILTON LICENSING COMMITTEE - THIRD REPORT.

\* \* \* \* \*

NOTICE OF MOTION

Alderman Hinkley gave notice that he would move the following Notice of Motion  
at the next regular meeting of City Council.

- RESOLVED: (a) That the City Solicitor be directed to draft a by-law that  
provides for a fine of a maximum of \$10,000. on any person who,  
without obtaining the necessary approvals, removes a healthy tree  
from any public lands under the City's jurisdiction or control.
- (b) That no healthy tree shall be removed from any City public lands  
due to any proposed works without first receiving prior approval  
of the appropriate Standing Committee and City Council.

- (c) That the Planning and Development Committee be directed to include in all development applications a report on the number of healthy trees affected by the development and the measures recommended to protect, replace or mitigate against damage to existing trees.
- (d) Should any City Department Head, Supervisor or employee direct or be responsible for the removal of any healthy tree on public property without first receiving the required political approvals be subject to disciplinary action.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman D. Ross be appointed Acting Mayor for the month of June, 1990. CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-31, A-32, A-33, A-34, A-36,  
B-64, B-65, B-66, B-67,  
D-59, D-60, D-61, D-62, D-63, D-64, D-65, D-66, D-67.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Gallagher in the chair.

A-31, A-32, A-33, A-34, A-36,  
B-64, B-65, B-66, B-67,  
D-59, D-60, D-61, D-62, D-63, D-64, D-65, D-66, D-67.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills, be adopted.-

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-31, A-32, A-33, A-34, A-36,  
B-64, B-65, B-66, B-67,  
D-59, D-60, D-61, D-62, D-63, D-64, D-65, D-66, D-67.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 10.30 o'clock, p.m.

\* \* \* \* \*





C O R R E S P O N D E N C E



### Correspondence

1. Letter dated June 22, 1990, from Mr. Andy Robertson, 240 Bendamere Ave., Hamilton, Ontario, concerning the Arena Feasibility Study.

Recommendation.

Be Referred to the Parks  
and Recreation Committee.

2. Application dated June 13, 1990, from Stalward Homes, 152 Hester Street, Hamilton, Ontario, for a change in zoning of property located at 236 Stone Church Road West.

Recommendation.

Be Received.

3. Application dated June 18, 1990, from Slovenian Society of St. Joseph Hamilton, 125 Centennial Parkway, Hamilton, Ontario, for a change in zoning of property located at the rear of 125 Centennial Parkway North.

Recommendation.

Be Received.

4. Application dated May 25, 1990, from Intermediate Terminals, Division of Canpac Freight Services Limited, 10765 De Liesse Road, Suite 410, Montreal, Dorval, Quebec, for a modification to the zoning of property located at 400 Grays Road.

Recommendation.

Be Received.

5. Application dated June 8, 1990, from Andy Robertson & others, 240 Bendamere Avenue, Hamilton, Ontario, for a modification to the zoning of property located at 25 Hester Street.

Recommendation.

Be Received.

6. Application dated June 5, 1990, from Mr. Philip Mancini, 17 Winthrop Place, Stoney Creek, Ontario, for a further modification to the zoning of property located at 30 Rymal Road East.

Recommendation.

Be Received.



240 Bendamere Ave.,  
HAMILTON, L9C 1P5  
Tel 389 - 4509  
June 22, 1990

Corporation City of Hamilton  
City Hall, HAMILTON  
L8N 3T4

Re: Arena Feasibility Study

Mayor Morrow, Members of Council

For the past six months and more I have been completing a study of the Cummings Cockburn report which recommended a number of additional ice surfaces were required in the City. The report is badly flawed in major respects and the conclusions are not supported by the evidence presented. In short the report does not answer the question 'do we need additional ice?'

With the view to addressing this major question I have undertaken a review of the material points and have come to a quite different conclusion. While my study is not yet quite complete, it is at a juncture where the outcome is quite clear 'WE DO NOT NEED ADDITIONAL ICE SURFACES.'

Although I have received considerable support and encouragement during this period of time, I have addressed my concerns to various City officials and Committees but little interest and/or response has been expressed.

In recent weeks my solicitor and I have made several moves which could materially affect the construction of the proposed 'Twinning of the Mountain Arena' These moves were made to forestall this project from proceeding until such times as due process has been assured.

I have proceeded with these actions with the greatest reluctance and regret. Apart from the expense, which has been considerable, they create an adversarial position I do not welcome.

I urge you to rethink your position in this matter. You still have an opportunity to defer any substantial investments until such times as you have examined other and compelling information. I do not envy you your 'political' decision for it is difficult to gainsay the considerable and very vocal support so recently staged. I am convinced you will have no regrets if you do so.





There are a number of salient points you should consider

1. Ice time is not in a 'critical' situation. With a little creative programming most, if not all, of the minor hockey teams can be accomodated in a fair and equitable manner, ON EXISTING ICE, and not at the expense of the other established users.
2. There is no need for 'Emergency' procedures. All of the 'essential' services which the City has provided in the past are still available for the 1990/91 season.
3. There are four sheets of ice (not presently booked) available at both the Ancaster Double Rinks and the Wentworth Triple Rinks. Vacant due to declining demand.
4. The number of ice users, public and hockey, has declined dramatically - Nationally, Provincially, and locally
5. There is considerable doubt that the 'Bubble' at the Mountain Arena can be completed at or near the date planned, to allow maximum advantage for the coming winter season. Indeed there is considerable doubt that it can be finished for any part of the season.
6. It would free up funds, from P&R's appropriation, to make the much more urgent repairs to the 'Jewels' of Dundurn Castle and Whitehern.

You may be assured it is not my wish to proceed along the present course any longer than is absolutely necessary. I am, however, confident that my actions are fair minded and appropriate in the circumstance.

In the event that you are prepared to rethink and defer a decision, I would be pleased to outline the information I have and the inevitable conclusions to be drawn.

I look forward to a positive response.

A Concerned Taxpayer



Andy Robertson

c.c. M. McEniry









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its NINTH Report for 1990 and respectfully recommends:

1.     (a)     That a claims adjusting firm be retained on a contractual basis to process general liability and vehicle accident claims as determined by the Co-ordinator of Claims and Administrative Services in the Public Works Department and the City Solicitor's Office.
- (b)     That proposals for the purpose of retaining a claims adjusting firm on a contractual basis be called.
- (c)     That the adjusting fees associated with the above be funded from the General Claims Account No. CH55296 24130.
2.     That the purchase order to the firm Varga Bros. Wrecking Limited be increased by \$22 062. to a total amount of \$89 552. to be charged to Account No. CH5X327 00102 (Reserve for Property Purchases) for additional work involved in removing from the site and disposing of concrete and rubble found below grade during the demolition of the building of the former Public Works District No. 5 Yard located on Mohawk Road East and Warren Avenue.
3.     That an Option to Purchase executed by Brenda F. Evans on May 31, 1990 and scheduled for closing on or before August 20, 1990 for the purchase of part of the property at 848 Upper Wentworth Street required by the City for the extension of Fieldway Drive from Fieldway Drive to Millwood Place, be approved and completed.

**NOTE:** The subject property contains 1 740.75 square feet (161.72 square metres) and is shown as Parts 11 and 12 on Plan 62R-11054. Consideration in the amount of \$1. has been paid to the owners and forms part of the purchase price.

The purchase price of \$2. is to be charged to Account No. CF5698 528946015.

4. That an Option to Purchase executed by Nicola Clarizio and Rosalba Clarizio on June 4, 1990 and scheduled for closing on or before August 24, 1990 for the purchase of part of the property at 852 Upper Wentworth Street required by the City for the extension of Fieldway Drive from Fieldway Drive to Millwood Place, be approved and completed.

NOTE: The subject property contains 3 300 square feet (306.57 square metres) and is shown as Parts 13, 14 and 15 on Plan 62R-11054. Consideration in the amount of \$1. has been paid to the owners and forms part of the purchase price.

The purchase price of \$13 250. is to be charged to Account No. CF5698 528946015.

5. That an Option to Purchase executed by Luigi Capostagno, Trustee and Paulina Capostagno on May 31, 1990 and scheduled for closing on or before August 23, 1990 for the purchase of part of the property at 860 Upper Wentworth Street required by the City for the extension of Fieldway Drive from Fieldway Drive to Millwood Place, be approved and completed.

NOTE: The subject property contains 6 500.7 square feet (603.97 square metres) and is shown as Parts 16, 17 and 18 on Plan 62R-11054. Consideration in the amount of \$1. has been paid to the owners and forms part of the purchase price.

The purchase price of \$26 000. is to be charged to Account No. CF5698 528946015.

6. That the applications for on-site garbage collection service to the locations listed below, be approved provided the following conditions are met:

- (a) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such insurance to be in an amount satisfactory to the Director of Public Works.
- (b) That the Mayor and City Clerk be authorized to sign and execute these agreements.

Applicant	Location
(i) Barney Rosenblatt and Ruco Investments Limited	455 Upper Gage Avenue (Mayfair Apartments)
(ii) Hamilton Baptist Non-Profit Homes Corporation	300 Limeridge Road East
(iii) Applegrove Co-operative Homes Inc.	1380 Upper Ottawa Street
(iv) 195 Wellington Investments Limited c/o Gustav Fisher	195 Wellington Street South
(v) Hamilton Baptist Non-Profit Homes Corporation	250 Limeridge Road East
(v) Green Circle Non-Profit Housing Inc.	80 Gilcrest Street

7. That a purchase order be issued to G. F. Mason Excavating Ltd., Fruitland, for the supply and delivery of Top Soils as and when required during 1990, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Shredded Top Soil	-	\$ 10.40 per yard
Shredded Manure	-	\$ 21.50 per yard
Regular Top Soil	-	\$ 8.90 per yard
Sandy Fill	-	\$ 9.50 per yard
Cow Manure	-	\$ 10.90 per yard

NOTE: Lowest of two (2) tenders received. Funds provided in Stock Materials Account No. CH56197 60999.

8. (a) That the Commissioner of Public Works be directed to improve the temporary pavement on Dulgaren Street from Eleanor Avenue to Presidio Drive and connect this pavement to the Presidio Drive at an estimated cost of \$9 000.
- (b) That the Finance and Administration Committee be requested to recommend the method of financing.

9. (a) That the submitted schedules for the estimated cost of services in the following subdivisions:
- (i) Beaverton Estates - Hamilton  
(City's share - \$174 940.50, Owner's share \$99 768.40)
  - (ii) Sandrina Gardens, Phase I - Hamilton  
(City's share - \$160 296., Owner's share \$1 015 143.14)
  - (iii) Effort Gardens - Hamilton  
(City's share - \$230 478.83, Owner's share \$665 184.30)
- be adopted for inclusion in the respective Subdivision Agreements with the owners.
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the respective owners.
- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Survey Plan, he should be permitted to do so at his own risk, providing that he enter into a Standard Agreement for Pre-Servicing.
- (e) That the City's share of the cost of services for these developments (\$565 715.33) be approved, and that the Finance and Administration Committee recommend the source of funding for these projects.
10. That the Two Plus Management Inc. be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, June 25, 1990 to July 2, 1990 with the following message:
- "Amstel Light 1/2 Marathon & Relay  
This Sunday, Welcome"
11. That applications for Inadvertent Encroachment Agreements as set out in Schedule "A" attached hereto, be approved subject to the following provisions:
- (a) That the owner enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That a first year fee and a subsequent annual fee as determined in Schedule "A" be set for this privilege.



12. That the list of personnel appointed as By-law Enforcement Officers for the City of Hamilton be revised:
- by adding the following names:  
Grant M. Spence  
Rodger A. Collins  
William F. McCully  
William J. Baswick
- and by deleting the following name:  
Louise J. Angeline
13. (a) That the existing Commercial Boulevard Parking Agreement registered as Instrument No. 126180 C.D. to the property at No. 135 - 145 MacNab Street North be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
14. (a) That the existing Residential Boulevard Parking Agreement registered as Instrument No. 449671 C.D. to the property at No. 579 Catharine Street North be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
- (c) That the City Treasurer be directed to revise the billing records accordingly.
15. That the Director of Traffic Services be authorized to issue, upon request, one time limit permit to each of the first seven applicants residing in the building at No. 165 Park Row South.
16. That the City Traffic By-law No. 89-72 be amended to provide for the following:
- (a) (i) That a "Permit Parking" regulation be implemented on the east side of Ray Street South between Jackson Street West and Canada Street; and
- (ii) That the Director of Traffic Services be authorized to initially issue one parking permit to eligible applicants residing in Nos. 82, 84, 86 and 98 Ray Street South, and two parking permits to the eligible resident at No. 85 Ray Street South; and
- (iii) That in the future, if parking permits are available, the Director of Traffic Services be authorized to redistribute the parking permits to other eligible applicants residing in the block, on a first come, first served basis provided that the maximum of seven permits is not exceeded.



- (b) (i) That a "Permit Parking" regulation be implemented on both sides of Princess Street between Earl Street and Sherman Avenue; and
- (ii) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the 14 residential properties abutting the block and any additional permits (to a maximum of 20) on a first come, first served basis.
- (c) That the existing "Two Hour Parking Time Limit, 7:00 a.m. to 5:00 p.m. Monday to Saturday" regulation on the east side of MacNab Street North between Mulberry and Colbourne Streets be changed to a "30 Minute Parking Time Limit, 7:00 a.m. to 5:00 p.m., Monday to Saturday" regulation.
- (d) (i) That a "Permit Parking" regulation be implemented on both sides of Grant Avenue from the north curb line of Alanson Street to the south end; and
- (ii) That the Director of Traffic Services be authorized to initially issue one parking permit to eligible residents residing in Nos. 194, 205, 209, 213, and 217 Grant Avenue and two parking permits to the eligible residents residing in Nos. 190 and 192 Grant Avenue; and
- (iii) That in the future, if parking permits become available, the Director of Traffic Services be authorized to redistribute parking permits to other eligible applicants residing in the block on a first come, first served basis, provided that the maximum number of nine permits is not exceeded.
- (e) That parking be prohibited on the west side of Emerson Street between Holmes Avenue and Whitney Avenue.
- (f) That the existing "Alternate Side Parking" regulation on Ivon Avenue between Melvin Avenue and Britannia Avenue be removed; and that parking be prohibited on the west side of Ivon Avenue between Melvin Avenue and Britannia Avenue.
- (g) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m. Monday to Friday" regulation be implemented on the south side of Jackson Street West between Poulette Street and the west end.
- (h) That parking be prohibited on the south side of Fennell Avenue East commencing at a point 52 feet east of High Street and extending to a point 36 feet easterly therefrom.
- (i) That parking be prohibited on the west side of Dalewood Crescent commencing at a point 27 feet south of Sterling Street and extending to a point 100 feet southerly therefrom.
- (j) That parking be prohibited on the north side of Elkwood Drive commencing at West 5th Street and extending to a point 91 feet westerly therefrom.

- (k) That stopping be prohibited on the west side of East 19th Street between Fennell Avenue and a point 111 feet northerly therefrom.
- (l)
  - (i) That a "No Stopping" regulation be implemented on the west side of Kenora Avenue commencing at a point 99 feet north of the north curbline of Janet Court and extending to a point 104 feet northerly therefrom; and
  - (ii) That a "No Stopping" regulation be implemented on the west side of Kenora Avenue commencing at a point 38 feet north of the north curbline of Village Drive and extending to a point 64 feet southerly therefrom.
- (m) That a "No Stopping" regulation be implemented on the north side of Vansitmart Avenue commencing at Division Street and extending to a point 70 feet westerly therefrom.
- (n)
  - (i) That a "Permit Parking" regulation be implemented on the west side of Grosvenor Avenue North commencing at a point 300 feet north of Dunsmure Road and extending to a point 20 feet northerly therefrom, and on the east side of Grosvenor Avenue North commencing at a point 298 feet north of Dunsmure Road and extending to a point 20 feet northerly therefrom; and
  - (ii) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Arlene Newsham, 121 Grosvenor Avenue North.
- (o)
  - (i) That a "Permit Parking" regulation be implemented on the south side of Picton Street, commencing at a point 113 feet west of Ferguson Avenue North and extending to a point 20 feet westerly therefrom; and
  - (ii) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Hugh Labelle, 172 Picton Street East.
- (p) That a three-way stop control be implemented at the intersection of Bobolink Road and Goldfinch Road.
- (q) That a four-way stop control be implemented at the intersection of West 25th Street and Leslie Avenue.
- (r) That southbound traffic on Tudor Street be required to stop for eastbound and westbound traffic on Templemead Drive.

- (s) (i) That the existing direction of stop control at the intersection of Broadway Avenue and Ward Avenue be switched such that northbound and southbound traffic on Broadway Avenue would be required to stop for eastbound and westbound traffic on Ward Avenue; and
  - (ii) That stopping be prohibited on the south side of Ward Avenue commencing at Broadway Avenue and extending to a point 130 feet westerly therefrom.
  - (t) (i) That the direction of stop control at the intersection of Glendale Avenue North and Primrose Avenue be switched, such that northbound and southbound traffic on Glendale Avenue be required to stop for eastbound and westbound traffic on Primrose Avenue; and
  - (ii) That the existing "No Stopping" corner clearances on both sides of Glendale Avenue, north and south of Primrose Avenue be rescinded; and
  - (iii) That a "No Stopping" corner clearance be implemented on the north side of Primrose Avenue from Glendale Avenue to a point 65 feet westerly; and
  - (iv) That a "No Stopping" corner clearance be implemented on the south side of Primrose Avenue from Glendale Avenue to a point 46 feet westerly therefrom; and
  - (v) That a "No Stopping" corner clearance be implemented on the north side of Primrose Avenue from Glendale Avenue to a point 60 feet easterly therefrom.
17. (a) That the following City lands be incorporated into streets as noted:
- (i) Part of Parts 1, 2 and all of Part 3, Plan 62R-8380 into Highridge Avenue
  - (ii) Part of Part 2 and all of Part 4, Plan 62R-8380 into Donn Avenue
  - (iii) Part of Part 1, Plan 62R-8380 into Bow Valley Drive
- (b) That the appropriate by-laws be enacted to give effect to this resolution.
- (c) That the Commissioner of Engineering be authorized and directed to register the by-laws.



- 18.
- (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act, R.S.O. 1980 for an order to stop-up and close the unopened road allowance of Leaway Avenue between 813 and 823 Stone Church Road East.
  - (b) That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the road allowance to be closed.
  - (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court.
  - (d) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
  - (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.
  - (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners.

Provided the Judge's Order to close the highway is granted:

- (i) That the City Solicitor be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s).
- (ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.

19. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act, R.S.O. 1980 for an order to stop-up and close the laneway south of Ainslie Avenue between Emerson Street and Hillview Street.
- (b) That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the laneway to be closed.
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court.
- (d) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
- (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners.

Provided the Judge's Order to close the laneway is granted:

- (i) That the City Solicitor be directed to prepare a by-law for the sale of the closed laneway to the abutting owner(s).
- (ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.



- 20.
- (a) That the revised Traffic Department organization appended hereto as Schedule "B", be approved; and
  - (b) That various existing positions be re-titled as Manager of Community Traffic Services, Parking Control and Prosecution Co-ordinator, Parking Control Supervisor and Parking Control Officer, respectively; and
  - (c) That the position of Chief Prosecutor be approved (new staff) effective July 2, 1990; to be funded by revenue increases; and
  - (d) That the Commissioner of Human Resources be requested to determine the appropriate salary schedule for the positions of Manager of Community Traffic Services, Parking Control and Prosecution Co-ordinator, and Chief Prosecutor; and
  - (e) That three additional Parking Control Supervisors be approved, effective July 30, 1990; to be funded by revenue increases; and
  - (f) That the purchase of one automobile with radio and equipment, be approved; and
  - (g) That the City Treasurer increase funds in the following accounts in the 1990 current budget:
    - (i) Account No. CH51001 75020 (Salaries and Wages) and associated equipment and benefit accounts, by \$186 000. annualized (\$83 000. in 1990 for five months for supervisors and six months for prosecutor);
    - (ii) Account No. CH58002 75020 (for one automobile), by \$20 000. (one time expenditure); and
  - (h) That the City Treasurer increase the anticipated revenue in the 1990 current budget Account No. CH45201 75020 by \$206 000. to offset the increased costs in other accounts.
21. That leave be granted to introduce the following Bills:
- (a) **Bill B-68** A By-law to Establish a Public Walkway From Upper James Street to Allison Crescent, Part 3 Plan 62R-10569
  - (b) **Bill B-69** A By-law to Amend By-law No. 89-72 to Regulate Traffic
  - (c) **Bill B-70** A By-law to Amend By-law No. 89-72 to Regulate Traffic

- (d) Bill B-71 A By-law to Incorporate Part 4 and Part of Part 2,  
Plan 62R-8380 into Donn Avenue
- (e) Bill B-72 A By-law to Incorporate Part 3 and Part of Parts 1 and 2,  
Plan 62R-8380 into Highridge Avenue
- (f) Bill B-73 A By-law to Incorporate Part of Part 1, Plan 62R-8380 into  
Bow Valley Drive

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

J. J. Schatz, Acting Secretary  
June 18, 1990

mjlw

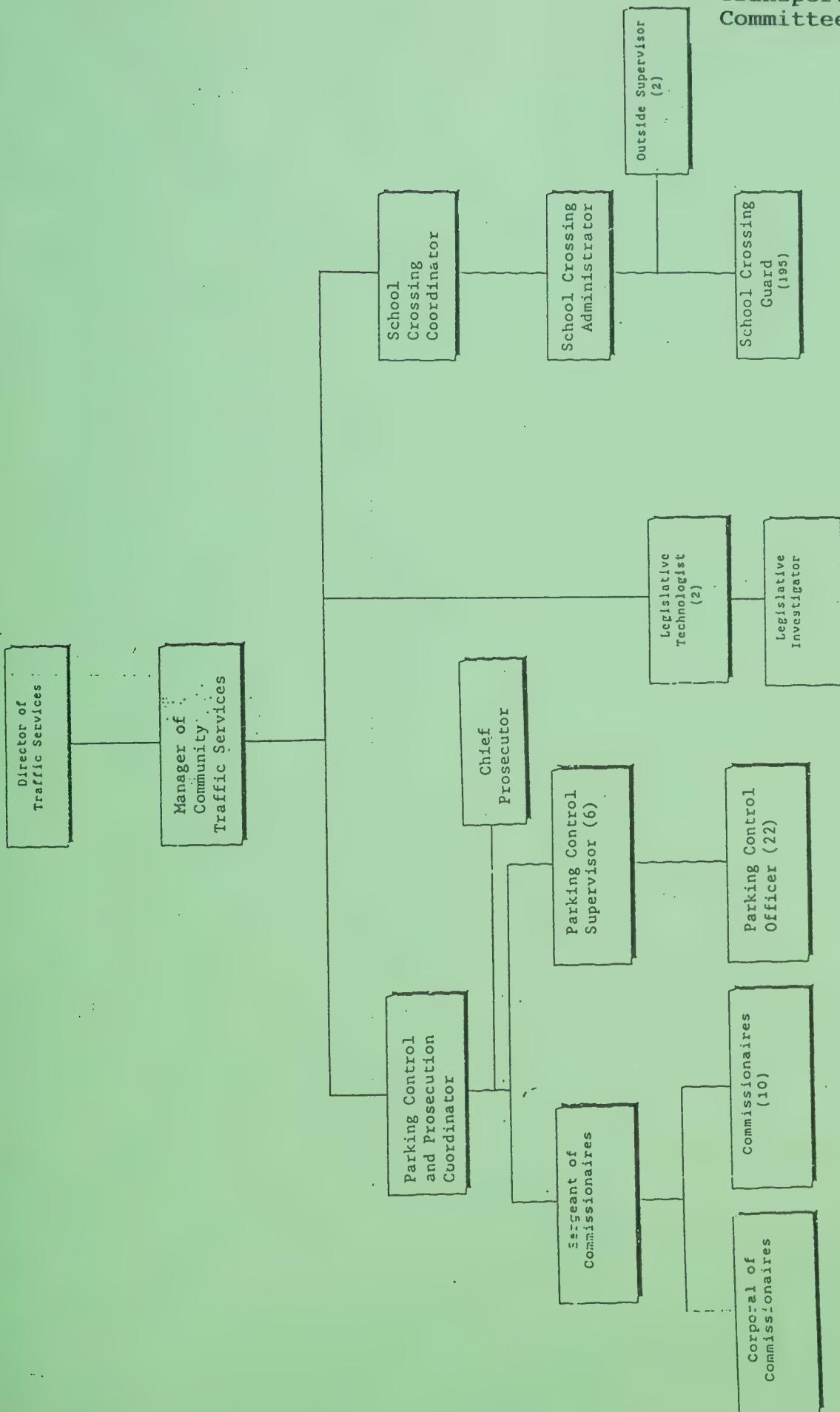
SCHEDULE "A"

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
13 & 15 Keith Street	Front Steps 8' X 2.15'	Petrini, Rubenstein & Waxman Barristers & Solicitors 242 James Street South Hamilton, Ontario L8P 3B3	\$105.00/\$20.00	T103-50(878)
9 & 11 Keith Street	Front Steps 8' X 1' Chain Link Fence 40' X 14' Wood Stoop 3' X 4'	Petrini, Rubenstein & Waxman Barristers & Solicitors 242 James Street South Hamilton, Ontario L8P 3B3	\$105.00/\$20.00	T103-50(883)
53 Rossllyn Avenue North	2 Brick Pillars 1st = 2' X 0.40' 2nd = 2' X 0.88'	Yachetti, Lanza & Restivo Barristers & Solicitors 105 Main Street East Suite 800 P.O. Box 950 M.P.O. Hamilton, Ontario L8N 3P9	\$105.00/\$20.00	T103-50(884)
29 Clyde Street	Front Steps 7' X 3'	Turkstra, Mazza Associates Lawyers 15 Bold Street Hamilton, Ontario L8P 1T3	\$105.00/\$20.00	
74 - 76 Walnut Street South	Covered Porch 0.35' X 0.16'	Kingsmill, Ross & McBride Barristers & Solicitors 1 King Street West P.O. Box 907 Hamilton, Ontario L8N 3P6	\$105.00/\$20.00	
69 John Street South	Garbage Bin 4' X 4' Two Steel Poles 2'2" each Loading Dock Bumper 1' X 10'	Stradwick Investments Canada Limited 505 York Boulevard Hamilton, Ontario L8R 3K4	\$105.00/\$20.00	

Schedule "A" as referred  
to in Section 11 of the  
NINTH Report of the  
Transport and Environment  
Committee

SCHEDULE "A"

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
70 Campbell Avenue	Concrete Steps 2.26' X 5' Cement Veranda 0.08' X 30' Frame Shed 0.25' X 25'	Davis, Baldwin & Kvas P.O. Box 917 20 Hughson Street South Hamilton, Ontario L8N 2A1	\$105.00/\$20.00	T103-50(869)











## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its TWELFTH Report for 1990 and respectfully recommends:

1. "Whereas City Council at its meeting held 1990 April 24 approved Section 14 of the EIGHTH Report of the Parks and Recreation Committee which read as follows:

- (a) That the former Strathcona Firehall located on the North west corner of Strathcona Avenue North and Head Street be purchased by the City for \$1 from the Hellenic Community to be used as a cultural facility and moved to a temporary site in Victoria park (facing Strathcona Avenue at the head of Lamoureux Street) subject to a final decision for a permanent location.
- (b) That the costs of moving the building be charged to City's Reserve Fund for the Acquisition of Historic Properties.

NOTE: An original estimate to move and relocate the building on a full Basement was in the amount of \$210 000, this cost will be increased to include a interim move to the temporary site.

- (c) That a Special Account, be opened under the auspices of the Corporation of the City of Hamilton as the "Friends of the Strathcona Firehall" Account to receive donations for the relocation of the Firehall.
- (d) That the responsibility for administering and operating the Strathcona Firehall as a cultural facility be within the Department of Culture and Recreation.
- (e) That all avenues for alternate sources of funding be investigated including the senior levels of Government as well as from the private sector.

NOTE: For the Information of the Members of Council, the Parks and Recreation Committee have requested that the Director of Culture and Recreation prepare a full report on the relocation of the Strathcona Firehall to include permanent sites; moving costs both temporary and permanent; costs to upgrade the building; and administration and maintenance costs of the cultural facility.

And Whereas additional information has been provided in a report from the Director of Culture and Recreation entitled "The Strathcona Fire Hall Report" dated 1990 June 07, with respect to moving costs and renovation costs.

Now therefore it is recommended that Section 14 of the EIGHTH Report of the Parks and Recreation Committee be RECONSIDERED".

NOTE: For the information of City Council, additional background including the Strathcona Fire Hall Report dated 1990 June 07 was distributed to Members of City Council on 1990 June 22. Additional copies available from the Secretary of the Parks and Recreation Committee.

2. (a) That approval be given for the Parks Division of the Public Works Department to utilize the \$25 000 Friends of the Parks donation, received from the Robinson Funeral Home towards the re-development of Wellington Park.
- (b) That the Treasury Department, be authorized to supplement the \$150 000 Capital Budget Funding commitment for Wellington Park with the \$25 000 Friends of the Parks donation, to establish a new funding level of \$175 000.

NOTE: Receipt of the \$25 000 donation will enable the Parks Division to restore the Wellington Park fountain as a portion of the overall park re-development.

3. That holdback in the amount of \$8 190 be released to Western Plumbing and Heating for the substantial performance of the contract, P.O. 4773, for Pool Renovations at Dalewood Recreation Centre pending receipt by the Treasury of the Standard Release Forms from the contractor and City Solicitor's Department.
4. That final holdback in the amount of \$6 945.30 be released to Electrical Maintenance Services for the completion of the contract, P.O.'s 4034 and 7886, for Baseball Lighting at Bernie Arbour Stadium, pending receipt by the Treasury Department of the standard release forms from the contractor and City Solicitor.
5. (a) That a purchase order be issued to Guild Electric, Burlington, in the amount of \$81 883 to replace Light Fixtures at Ivor Wynne Stadium, in accordance with specifications issued by the Manager of Purchasing and Vendor's Tender.
- (b) That a contract be entered into satisfactory to the City Solicitor.



NOTE: Lowest of nine (9) tenders received. Funds provided in Ivor Wynne Stadium, Renovations and Repairs Account No. CH56398 62910.

6. (a) That a purchase order be issued to McLean-Peister Limited, Kitchener, in the amount of \$249 650 to provide the site improvements and landscaping at Carter Park in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest of four (4) tenders received. Funds provided in Corktown Stinson, Carter Park Improvements Account No. CF5200 428701204.

7. That a purchase order be issued to Metroland Printing, Willowdale, in the amount of \$25 374.62 for the printing and distribution of the Culture and Recreation Program and Facilities Brochure, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Program (Special Events) Advertising and Promotion Account No. CH56302 70005.

8. (a) That a purchase order be issued to J. L. Sound Systems, Hamilton, in the amount of \$77 171.40 to supply and install a sound system at Ivor Wynne Stadium, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: As this work is to be completed before the first Tiger Cat home game July 03, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Lowest acceptable of five (5) tenders received. Funds provided in Ivor Wynne Stadium, Renovations and Repairs Account No. CH56398 62910.

9. (a) That a purchase order be issued to Wm. Groves Ltd., Hamilton, in the amount of \$103 030 for the Stone Fence Restoration at Sam Lawrence Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's Quotation.
- (b) That a contingency of 25% of the contract amount be approved.

- (c) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest of ten (10) quotations received. Funds provided in Sam Lawrence Park Account No. CF5255 628954002.

10. (a) That the City of Hamilton enter into a Licence Agreement with Ontario Hydro for the use of the lands described as Part 1, Plan 62R-10869 for a pedestrian walkway between Thorner Park and Limeridge Mall. The annual licence fee is to be charged to Account No. CH56304 62101.

- (b) That the Mayor and City Clerk be authorized to execute a Licence Agreement in a form satisfactory to the City Solicitor.

NOTE: The term of the Licence is ten (10) years commencing 1990 April 01, and continuing thereafter on a year to year basis. The rent is \$400 per year payable in advance on the first day of each and every year during the first five (5) year period, and an amount to be determined by the Licensor before the commencement of any subsequent period. Special terms applying to this Licence are set out as follows:

The Licensee shall not pile snow on any of the Licensor's adjoining lands, nor shall it pile snow on the licensed lands which would result in piles exceeding two (2) metres in height or being closer than eight (8) metres from any of the Licensor's transmission towers. In the event of the Licensee acting in breach of this condition, the Licensor may remove any such pile, the cost of which work shall be charged by the Licensor to the Licensee.

The Licensee, at its own expense, shall be responsible for removal of snow and ice from any public sidewalk abutting the land herein described if required by any municipal by-law.

11. That an Option to Purchase executed by Raymond Charles Sims, Executor and Gary Daniel Sims, Executor of the Estate of the Late Daniel Sims on 1990 June 07 and scheduled for closing on or before 1990 August 29 for the purchase of the property at 109 Graham Avenue North, Hamilton required by the City for the proposed Crown Point East Neighbourhood Park be approved and completed.

NOTE: The subject property is composed of Lot 487, Plan 497, having a frontage of 25 feet (7.62 metres), more or less, along the western limit of Graham Avenue North, having a depth of 100 feet (30.48 metres), more or less, together with all structures erected thereon, said parcel forming Municipal number 109 Graham Avenue North.

Consideration in the amount of \$1 has been paid to the Estate and forms part of the purchase price.

The purchase price of \$111 000 is to be charged to Account No. CF5590 628650001.

12. (a) That the remainder of the funds, appropriated for 1990 King's Forest Winter Sports Park in the total amount of \$42 086.33 be used to dismantle and remove the ski hill equipment; (light fixtures, ski tows, standpipe) and that the compressors be relocated to the Chedoke Winter Sports Park.
- (b) That the bombardier ski dozer #9413 used to groom the ski hills at King's Forest Winter Sports Park be sold or auctioned off to maximize the sale value to the City of Hamilton.
- (c) That in 1991, to accommodate cross country skiing and tobogganing at King's Forest Winter Sports Park, an account be established with a base amount of \$30 420, utilizing funds transferred from Account No. CH51401 62414 - Lift Operations.
- (d) That in 1991 to extend the snow making and grooming operation at the Chedoke Winter Sports Park from 5 days Wednesday through to Sunday, to a 7 day operation, including Monday and Tuesday, the remaining salaries and wages in -

CH 51401 62410 King's Forest - General	\$49 790
CH 51401 62412 King's Forest - Snow Making	\$45 420

be transferred into CH51401 62406 Chedoke Winter Sports Park.

- (e) That in 1991, \$5 800 be transferred from CH56601 62416 - Slope Grooming; to CH56601 62408 - Rental Equipment Internal, and \$7 130 be transferred from CH56601 62412 to winter start up costs for the remaining ski dozer Chedoke Winter Sports Park.

NOTE: For the Information of the Members of City Council, Sections c,d,e, pertain to the 1991 Budget process and are being submitted at this time in order to present a complete package of Winter Sports Activities at both King's Forest and Chedoke Park for the 1990-1991 Season.

13. (a) That the Parks and Recreation Committee endorse the sale of alcoholic beverages by the Greek-Canadian Church, on Church property only and in conjunction with their annual Greek Fest to be held 1990 August 17, 18 and 19.



- (b) That permission be given the organizers to erect a tent on Inch Park for the purpose of cooking and selling food and to provide an area for entertainment and dancing subject to the following terms and conditions:
  - i. That approval be received from Health and Fire Departments for arrangements for the sale of food and refreshments.
  - ii. That proof of \$2 million Public Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - iii. That Police Security, satisfactory to the Hamilton-Wentworth Regional Police be provided.
  - iv. That precaution be taken by the organizers to ensure grounds are not damaged and financial restitution be made to the City for any damage that may occur.
  - v. That all City costs over the above the norm, incurred as a result of this event be paid by the applicant.
  - vi. That permission be granted to park 100 vehicles on Inch Park, in an area approved by the Parks Division.
- 14. That approval be given for the Director of Culture and Recreation to amend the policy for swimming program operations to:
  - (a) Permit the use of masks, fins, and snorkels during swimming periods, appropriately posted, at the pool which complies with safety requirements and bather load. This will include instructional periods and designated recreational times.
  - (b) Require children under the age of seven be accompanied by and under the supervision of a responsible person while attending recreational swimming periods.
  - (c) Require children who do not meet the height requirements of six inches above the shallow end depth be accompanied by and under the supervision of a responsible person while attending recreational swimming periods, with the exception of a child over the age of seven who can demonstrate the ability to swim two widths of the pool.
- 15. That approval be given for the Director of Culture and Recreation to amend the policy for golf course operations:
  - (a) To regulate the non-golfers on the course.

- (b) To approve spectator attendance at tournaments.
  - (c) To approve non-players who are recommended as "cadies".
16. (a) That approval be given for a series of 2 (two) bocci ball courts without lighting at each of the following locations; William McCulloch Park, Sam Manson Park, and Rosedale Arena at a cost of \$45 000.
- (b) That approval be given for the courts and fencing to be completed in 1990 with approval for lighting in 1991.
- (c) That the Finance and Administration Committee be requested to recommend the method of financing for these projects.
17. That the Hamilton and District Labour Council be granted permission to sell food and alcoholic beverages on the occasion of their Labour Day Picnic, to be held Monday, 1990 September 03 at Dundurn Park, subject to the following terms and conditions:
- (a) That proof of \$2 million General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured be provided.
  - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, clean-up, etc).
  - (c) That alcoholic beverages be served in the confined area of the pavilion.
  - (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
18. (a) That "Mohawk Sports Complex" be the site location for the first playscape structure and that staff proceed with the project for this year.
- (b) The estimated cost of \$60 000 to be financed from the funds available in Bikeways - Playscapes Project - Centre No. CF708743002.



19. (a) That approval be granted to the Hamilton Steeler Soccer Club to utilize the Ivor Wynne Stadium for the purpose of conducting practices, training camps, and exhibition soccer games on a periodic basis and during the pre-season, with the exception of those dates required by the Hamilton Tiger Cat Football Club and that the request for such usage be submitted to the Director of Culture and Recreation by February 01 of the current operating year.
- (b) That the Hamilton Steeler Soccer Club be granted approval to conduct exhibition games, training camps, and practices in the Brian Timmis Stadium, outside of the regular league schedule and that the request for such usage be submitted to the Director of Culture and Recreation, one month prior to use.
- (c) That the Hamilton Steeler Soccer Club be granted permission to allocate the operation of the food and soft drink concessions, at Brian Timmis Stadium, to another concession operator, subject to approval by the City.
- (d) That the City be entitled to 3% of the net profits derived from the sale of food and soft drinks and that the City remain entitled to 10% of the gross from the sale of souvenirs and that the Hamilton Steeler Soccer Club be responsible to pay these concession fees.
- (e) That, notwithstanding recommendation (c) the Hamilton Steeler Soccer Club remain responsible in the law for the operation of the food and soft drink concessions at Brian Timmis Stadium and, in light of recommendation (c), the Hamilton Steeler Soccer Club acknowledge and agree to indemnify and save harmless the City for any liability arising from the operation of such concessions by the approved operator.
- (f) That an agreement, satisfactory to the City Solicitor, include the terms and conditions contained herein.
20. (a) That the Hamilton Steeler Soccer Club be granted permission to allow the Hamilton Tiger Cat Football Club to operate the food and soft drink concessions at Brian Timmis Stadium for the calendar year 1990.
- (b) That permission be granted to the Hamilton Tiger Cat Football Club to utilize city-owned equipment to operate the concessions at Brian Timmis Stadium.
21. (a) That repairs and maintenance to the Inch Park Tennis Courts be approved with a cost not to exceed \$18 000.
- (b) That the Finance and Administration Committee be requested to recommend the method of financing the project.

22. That in connection with "Garden Parties" being hosted at Whitehern on 1990 July 29 and September 02 visitors be offered a reduced admission rate of \$1 for adults, seniors and students categories.
23. For the Information of the Members of City Council the Parks and Recreation Committee adopted the following recommendation with respect to the 1991 Budget Process. It is being submitted at this time in order to advise City Council of this high priority for 1991:
- (a) That immediate financial priority be given to a list of remedial works, appended hereto as Schedule "A" valued at approximately \$1.7 million, urgently required at Hamilton museums.
  - (b) That a comprehensive restoration and preservation schedule, for all Hamilton museums be drafted, and that such schedule be incorporated into the five year capital works and/or major maintenance budget.
  - (c) That the remedial works listed in item (a) at an estimated cost \$195 957 be given a high priority to be considered in the 1991 Budget Process.
24. That leave be granted to introduce the following Bill:
- Bill C-2      By-law to Authorize Increased Cost for the Replacement of Rink Slab and Boards for the Mountain Arena Project.

RESPECTFULLY SUBMITTED,

Lynn Dale,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

Attach.

1990 June 19



## STABILIZATION AND PRESERVATION PRIORITIES, DUNDURN AND WHITEHERN

THE FOLLOWING LIST IS AN INVENTORY OF WORK NECESSARY TO STABILIZE THE BUILDINGS OF DUNDURN CASTLE AND WHITEHERN, AND TO PREVENT FURTHER DAMAGE TO THEIR STRUCTURE. ITEMS HAVE BEEN LISTED IN DESCENDING ORDER OF URGENCY. NOTES AND COSTS ARE TAKEN FROM THE BUILDING CONSERVATION STUDIES UNDERTAKEN BY QUADRANGLE ARCHITECTS. FOR MORE INFORMATION PLEASE REFER TO THE CO-RESPONDING NUMBERS IN THE TEXT OF THE BUILDING STUDIES.

PRIORITY	SITE	NOTES	ESTIMATED COST
1.	W	Repairs to front porch foundation, repairs to failed elements of porch roof. (items .12, .13 in study)	6,000.
2.	DC	Stabilization of Cockpit, excavation, foundations, roof systems, heating & dehumidifying, framing, windows, trim, ventilator. (.46,.47,.50,.51,.52,.53,.54,.55,.57,.58,.59,.60)	114,500.
3.	DC	Stabilization and repairs to foundations- general, worst-case estimate. (.15,.16,.17,.18,.19)	272,500.
4.	W	Stabilization of Stables, foundation and wall work, repairs to framing and windows, underpinning foundations. (.16,.17,.18,.19,.20,.26,.29)	119,500.
5.	DC	General repairs to windows, sash, etc., Castle and Stables (.20,.25,.31)	24,000.
6.	DC	Stables, improve rainwater leaders. (.65)	500.
7.	DC	Repair and repaint columns, porches (.10)	6,500.
8.	DC	Interior foundation work. (.33,.34,.35,.36)	7,300.
9.	W	Instal vented chimney caps. (.1,.5)	1,800.



			..2
10.	W	Replace slate roof on addition. (.6)	49,000.
11.	W	Replace stable roof with slate. (.7)	27,000.
12.	W	Repairs to house foundations and masonry. (.9,.10,.11)	80,000.
13.	DC	Repairs to exterior stucco and painting, remove modern intrusions, Castle and Stables (.9,.11,.14,.22,.32,.70)	65,800.
14.	W	Reputty & seal doors, windows. Prepare & paint trim. (.21,.22,.23,)	7,000.
15.	W	Solve damp problem in china storage. Remove trees near foundation. (.31,.38)	6,600.
16.	W	Garden wall stabilization & repair. Redirect sprinkler heads. (.36,.37,.40)	25,100.
17.	DC	Adjust grade around Castle and Stables, replace asphalt. (.43,.44,.45,.67)	60,000.
18.	DC	Repairs to Stables exterior- repointing, trim, windows. (.61,.62,.66,.69,.70)	19,100.
19.	W	Repairs to main roof detailing. (.2,.3,.4)	5,700.
20.	DC	Restoration of Cockpit, porticos and interior. (.48,.49,.56)	90,000.
21.	DC	Repairs to Stables west facade, rebuild ventilator, improvements to staff area. (.63,.64,.68,.71)	35,000.
22.	DC	Dovecote re-restoration. (.72,.73,.74.,.75, .76,.77,.78)	49,500.



		..3
23.	W     Cleaning building exterior. (.8)	16,250.
ELEMENTAL TOTAL		\$1,088,650.
CONTRACTOR OVERHEAD & PROFIT		217,730.
CONTINGENCY		108,865.
SOFT COSTS		195,957.
ARCHAEOLOGY		45,000.
TOTAL PROJECTED BUDGET COST		\$1,656,202.







## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWELFTH Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for the following property:  
  
116 Chesley Street
2. That a repayable loan under the Commercial Facade Loan Programme, in the amount of thirty-eight thousand, three hundred and one dollars (\$38,301.) be approved for 207-209 King Street East, Moo Ung Kim. The interest rate will be 7-3/8 percent, amortized over 10 years.
3. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of two thousand, nine hundred and eighty-five (\$2,985.) be approved for Mrs. Keltie Law, 112 Aberdeen Avenue, Hamilton. The interest rate will be six percent, amortized over 10 years; and,  
  
(b) That a Designated Property grant in the amount of two thousand, nine hundred and eighty-five dollars (\$2,985.) be provided to Mrs. Keltie, 112 Aberdeen Avenue, Hamilton.
4. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of fifty thousand dollars (\$50,000.) be approved for Mr. D. Warrener, The Custom House, 51 Stuart Street, Hamilton. The interest rate will be six percent, amortized over 10 years; and,  
  
(b) That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to Mr. D. Warrener at The Custom House, 51 Stuart Street, Hamilton.
5. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of fifty thousand dollars (\$50,000.) be approved for James Street Baptist Church, 98 James Street South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,  
  
(b) That a Designated Property Grant in the amount of three thousand (\$3,000.) be provided to James Street Baptist Church, 98 James Street South, Hamilton.



6. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of fifteen thousand dollars (\$15,000.) be approved for Mrs. Roshan Dharsee, 27 Bold Street, Hamilton. The interest rate will be six percent, amortized over 10 years; and,  
  
(b) That a Designated Property Grant in the amount of three thousand (\$3,000.) be provided to Mrs. Roshan Dharsee, 27 Bold Street, Hamilton.
7. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of fifty thousand dollars (\$50,000.) be approved for St. Paul's Church, 64 James Street South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,  
  
(b) That a Designated Property Grant in the amount of three thousand (\$3,000.) be provided to St. Paul's Church, 64 James Street South, Hamilton.
8. That a purchase order be issued to National Time Equipment Co. Ltd., Toronto, in the amount of \$16,500. to supply and supervise the installation of a Decorative Street Clock, Westdale Village B.I.A. (south-east corner of King and Paisley Streets), Commercial Improvement Program, in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal.  
  
NOTE: Lowest acceptable of four (4) proposals received. Funds provided in Commercial Improvement Programme Account #CF5200 428705002.
9. (a) That approval be given to the "Intent to Designate" the Twentieth Century Club building at 172-176 Locke Street South as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached herewith and marked Appendix "A".  
  
(b) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provision of the Ontario Heritage Act, 1983.
10. (a) That approval be given by by-law for the City of Hamilton to enter into a Heritage Easement Agreement with the James Street Baptist Church under Part IV, Section 37 of the Ontario Heritage Act; and,  
  
(b) That the City Solicitor be authorized and directed to take the appropriate action to have this Heritage Easement implemented, pursuant to the provisions of the Ontario Heritage Act, 1983.

11. (a) That approval be given to the "Intent to Designate" 108-112 James Street North, Tivoli Theatre, as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached herewith and marked as Appendix "B"; and,
  - (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
12. (a) That the City of Hamilton request Regional Council to direct staff from the Regional Planning and Development Department to investigate the implications of the Hamilton-Wentworth Region petitioning the Royal Commission on the Future of the Toronto Waterfront extending their area of study to include the Hamilton-Wentworth Waterfront;
  - (b) That Regional Staff consult with C.A.P.I.C., Conservation Authority, Royal Botanical Gardens and other applicable agencies involved with Waterfront matters in their investigation; and,
  - (c) That Regional Staff present their report on the implications involved in such a petition to the Regional Economic Development Committee for that Committee to determine if a request for inclusion in the Waterfront Study should be made by the Hamilton-Wentworth Region.
13. (a) That in accordance with the Cash-in-Lieu of Parking Policy, that the Helm Group be required to pay to the City of Hamilton the sum of \$50,000., which is 50% of the cost of providing ten parking spaces; and,
  - (b) That the City Solicitor be directed to prepare the Cash-in-Lieu of Parking Agreement as required.
14. (a) That approval be given to Subdivision Application 25T-90004, "Edan Heights", 603976 Ontario Limited, owner, to establish a draft plan of subdivision on lands west of Upper Sherman Road and south of Beaverton Drive, subject to the following conditions:
  - (i) That approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 January 22, showing 68 lots, 5 blocks for development with adjacent lands, one block for a 0.3 m reserve and the easements required for small lots.
  - (ii) That the street be dedicated to the City of Hamilton as public highway on the final plan.

- (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That the owner convey 5% of the land included in the plan to the City of Hamilton for park purposes pursuant to The Planning Act.
  - (vi) That such easements as are required for utility and drainage purposes be granted to the appropriate authority.
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That any dead-ends or open sides of the road allowances created by the plan be terminated in 0.3m reserves (Block "74") to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  - (ix) That Blocks "64" to "73" inclusive be developed only in conjunction with abutting lands.
  - (x) That a 2.0 m X 2.0 m daylight triangle is established at the north-east corner of Lot 25.
  - (xi) That prior to the final plan, sewers and watermains have been extended to service this development.
  - (xii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (xiii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-90004), 603976 Ontario Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the Butler Neighbourhood plan be changed accordingly.



15. That approval be given to Zoning Application 90-07, 603976 Ontario Ltd. (J. Rubino and D. Valentini), owners, requesting a change in zoning from "AA" (Agricultural) District modified to "R-4" (Small Lot Single-Family Detached) District, to permit development of the subject lands for small lot single-family detached homes, for lands at the rear of 1448-1500 Upper Sherman Avenue, fronting onto Acadia Drive, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the lands be rezoned from "AA" (Agricultural) District modified to "R-4" (Small Lot Single-Family Detached) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27C and for E-28D presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District modified to "R-4" (Small Lot Single-Family Detached) District, for property at the rear of 1448-1500 Upper Sherman Avenue.

The effect of the By-law is to permit small lot single-family detached development on the subject lands.

16. That approval be given to Zoning Application 90-37, Select Site Properties Limited, owner, for a change in zoning from "JJ" (Restricted Light Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District (Block "1"), and from "KK" (Restricted Heavy Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District (Block "2"), for the rear part of property located at 315 Centennial Parkway North as shown on the attached map marked as Appendix "D", to establish uniform zoning on the property and permit, in addition to the existing gas bar use, a retail strip plaza, on the following basis:

- (a) That the lands described as Block "1" be rezoned from "JJ" (Restricted Light Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District;
- (b) That the lands described as Block "2" be rezoned from "KK" (Restricted Heavy Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District;

- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-103 for presentation to City Council;
- (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for changes in zoning from "JJ" (Restricted Light Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District (Block "1"), and from "KK" (Restricted Heavy Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District (Block "2"), for property at the rear of 315 Centennial Parkway North.

The effect of the By-law is to establish uniform zoning on the property and permit, in addition to the existing gas bar use, a retail strip plaza.

- 17. (A) That amended Zoning Application 89-111, Yaser Sharif, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, to permit a day nursery for up to ninety-five children, for part of property municipally known as 991 Upper Paradise Road, shown as Block "2" on the attached map marked as Appendix "E", be DENIED for the following reasons:
  - (a) It is an overintensification of land use, in that the requested capacity of the day nursery (ninety-five children) is approximately four times that which is permitted under the existing and future proposed land use controls respecting day nurseries in the "C" (Urban Protected Residential, etc.) District (i.e. twenty-five children);
  - (b) The requested size (ninety-five children) of the proposed day nursery would be incompatible with the surrounding land use; and,
  - (c) The Ministry of Community and Social Services has advised that this area of the West Mountain is currently well served by day nurseries.
- (B) That approval be given to amended Zoning Application 89-111, Yaser Sharif, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, for part of property municipally known as 991 Upper Paradise Road, shown as Block "2" on the attached map marked as Appendix "E", on the following basis:



- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "2" be modified to include the following variance as a special requirement:
  - (i) That notwithstanding the provisions of Section 9 (1) (iii) of By-Law No. 6593, a day nursery for the accommodation of a maximum of seventy-five children shall be permitted.
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-27C and W-27D for presentation to City Council;
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1183, and that the subject lands on Zoning District maps W-27C and W-27D be notated S-1183; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That Schedule "B" to By-law No. 79-275, as amended by By-law No. 87-223, respecting Site Plan Control, be further amended by adding the lands described as Block "2" on Appendix "E", and that Site Plan Control shall apply only to a day nursery.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for part of property municipally known as 991 Upper Paradise Road, shown as Block "2".

The effect of the By-law is to permit development of Block "2" for a day nursery for up to seventy-five children.

- 18. That approval be given to Zoning Application 90-33, R. McDowell, R. Lewczuk, and P. Serrani, owners, requesting a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District for Block "1" and a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for Block "2", to permit townhouse development for property located at 1606 Upper Gage Avenue, as shown on the attached map marked as Appendix "F", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District;

- (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District;
- (c) That the "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of By-law No. 6593, applicable to Blocks "1" and "2", be further modified to include the following variances as special provisions:
  - (i) That a minimum 3.0 m wide planting strip shall be provided and maintained along the northerly and westerly lot lines;
  - (ii) That a visual barrier of not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the northerly and westerly lot lines;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council;
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1184, and that the subject lands on Zoning District Map E-38D be notated S-1184;
- (f) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District modified for Block "1" and a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District modified for Block "2", for property located at 1606 Upper Gage Avenue.

The effect of the By-law is to permit future development of the subject properties for townhouses or maisonettes. In addition, the By-law provides the following variances as a special requirement:

- (a) A minimum 3.0 m (10 foot) wide planting strip shall be provided and maintained along the northerly and westerly lot lines; and,
- (b) A 1.2 m (4 foot) to 2.0 m (6.6 foot) high visual barrier shall be provided and maintained along the northerly and westerly lot lines.

19. That Zoning Application 90-26, Dr. Roy Smith, Riddrie Developments Inc., owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District, for property located at the rear of 1502 Main Street East, as shown on the attached map marked as Appendix "G", be DENIED for the following reasons:
- (a) It conflicts with the intent of the Official Plan which designates the lands for "Residential" use.
  - (b) It would provide for an undesirable extension of a commercial use into an established residential area.
  - (c) It would be incompatible and out of character with established residential development in the surrounding area.
  - (d) Approval of the application may encourage other similar applications which, if approved, could alter the character of the established residential area.
20. That Zoning Application 90-29, 687469 Ontario Incorporated, (Roy Yates), owner, requesting a further modification to the established "HH" (Restricted Community Shopping and Commercial) District, to permit a body shop addition to the established automobile dealership, for property located at 1024 Upper Wentworth Street, as shown on the attached map marked as Appendix "H" be DENIED for the following reason:
- (a) The proposed auto body fender repair and paint shop addition to the established automobile dealership represents an undesirable use which would have adverse impacts on the adjoining established residential development.
21. (a) That approval be given to Official Plan Amendment No. 92 to establish a Special Policy Area to permit a limited number of commercial uses, and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to amended Zoning Application 90-22, Taba Developments Ltd. (J. Frisch, A. Ishaky, and S. Mukamal), owners, requesting a modification to the established "M-12" (Prestige Industrial) District regulations to permit a mall containing limited commercial uses, a community medical centre, and limited office uses, for property located on the east side of Upper Ottawa Street in the area south of Stone Church Road East, as shown on the attached map marked as Appendix "I", on the following basis:



(i) That the "M-12" (Prestige Industrial) District regulations, as contained in Section 17D of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

(1.) That notwithstanding Section 17D(1) of Zoning By-law 6593, the following Institutional use shall be permitted:

<u>S.I.C. Identification Number</u>	<u>Permitted Use</u>
8635	Public Health Clinics/Community Medical Centres

(2.) That notwithstanding Section 17D(1)(b) of Zoning By-law No. 6593, the following Commercial uses shall be permitted:

<u>S.I.C. Identification Number</u>	<u>Permitted Use</u>
6213	Furniture Refinishing and Repair Shops
6223	Appliance, Television, Radio and Stereo Repair Shops
6231	Floor Covering Stores
6232	Drapery Stores
6532	Paint, Glass and Wallpaper Stores
7611	Insurance and Real Estate Agencies
7731	Offices of Chartered and Certified Accountant
7739	Other Accounting and Bookkeeping Services
7761	Offices of Lawyers and Notaries
7771	Management Consulting Services

- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1182, and that the subject lands on Zoning District Maps E-59C and E-59D be notated S-1182;
  - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-59C and E-59D for presentation to City Council;
  - (iv) That the proposed modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 92 by the Regional Municipality of Hamilton-Wentworth; and,
- (c) That the amending By-law not be forwarded for passage by City Council until such time as:
- (i) The applicant/owner receive approach approvals for entrances on Stone Church Road East and Upper Ottawa Street to the satisfaction of the Commissioner of Regional Engineering.
  - (ii) The access grades for driveways to Upper Ottawa Street have been resolved to the satisfaction of the Commissioner of Regional Engineering;
  - (iii) Proof has been submitted, to the satisfaction of the Director of Local Planning, of a written agreement between Taba Developments and Dicon Properties (Hamilton) Ltd. Partnership requiring:
    - (1.) The unregistered covenant and agreement of Taba that it will not lease the subject property or any part thereof, or permit such to be occupied by a tenant, for the four uses listed above as Numbers 7611, 7731, 7739 and 7761 (the "Office Uses"), at any time on or before June 5, 1993, provided that it may sell commercial condominium units to persons who, as owners of such units, will personally occupy the units for the Office Uses;
    - (2.) The registration forthwith after such written agreement has been entered into of a restrictive covenant on title to the subject property preventing any part of the property from being leased or occupied by a tenant for the Office Uses at any time on or before June 5, 1993;
    - (3.) That Taba provide written notification to any purchasers of the condominium units of the restriction specified in subparagraph iii(2.) and (4.); and



- (4.) That the condominium declaration, when registered, include a prohibition in accordance with subparagraph 3(3)(c) of the Condominium Act against the leasing of any of the condominium units on the subject property, or the occupation of same by tenants, for the Office Uses at any time on or before June 5, 1993.
- (d) That, in accordance with Section 34(16) of the Planning Act, no further public meeting be held.

NOTE: The purpose of the By-law is to provide for a modification to the established "M-12" (Prestige Industrial) District regulations for property located on the east side of Upper Ottawa Street in the area south of Stone Church Road East.

The effect of the By-law is to permit, in addition to the uses allowed under the "M-12" (Prestige Industrial) District, the following uses:

- (a) furniture refinishing and repair shops;
- (b) appliance, television, radio and stereo repair shops;
- (c) floor covering stores;
- (d) drapery stores;
- (e) paint, glass and wallpaper stores;
- (f) insurance and real estate agencies;
- (g) chartered and certified accountant's offices;
- (h) other accounting offices;
- (i) offices of lawyers and notaries;
- (j) management consulting services; and,
- (k) community medical centres/public health clinics.

22. That approval be given to Proposed Draft Plan of Condominium Application 25CDM-90002, "Regal Castle Condominium", Regal Castle Development Inc., owner, to establish a draft plan of condominium located at the south side of Limeridge Road East, west of Upper Wentworth Street and north of the future Mountain Freeway, subject to the following conditions:

- (a) That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 January 22, showing 44 units.
- (b) That the owner comply with the Development Standards to Control the Effects of Freeway Noise as adopted by Council on 1973, October 9 and subsequent amendments, and that a 15.24m easement be established on lands immediately adjoining the Freeway for the purpose of constructing a landscaped noise barrier.
- (c) That the owner satisfy the financial requirements of the Regional Municipality of Hamilton-Wentworth.

23. That approval be given to Proposed Draft Plan of Condominium Application 25CDM-90001, "Stone Church Industrial Park", Stone Church Condominium Development Inc., owner, to establish a draft plan of condominium located at the south side of Stone Church Road and west of Pritchard Road, subject to the following conditions:

(a) That this approval apply to the plan prepared by J. D. Barnes Limited, dated 1989 December 13.

(b) That the owner satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

24. That the Regional Municipality of Hamilton-Wentworth be requested to grant a two year extension to the draft approval for "Ridgeview Estates" subdivision (Regional File No. 25T-76046).

NOTE: The request for a further extension of a 2 year period has been made on the basis that "the current market conditions do not present favourable development".

Two phases of the development have been registered and the final plans for Phase 3 have been prepared for inclusion in the Subdivision Agreement. A fourth phase, which will complete the development, will be processed subsequent to registration of Phase 3.

25. That in regard to Site Plan Control Application DA-89-98 by Ernie and Joyce Monkley, owners of lands known as 81 Dartnall Road for an extension and alteration to an existing trailer assembly facility, that the following be approved:

(a) That the plans and drawings of the Site Plan Control Application DA-84-20 registered on title on 1985 February 13, as Instrument No. 305176 C.D., be amended by the plans and drawings of Site Plan Application DA-89-98

NOTE: Since the previous plans and drawings under Site Plan Control Application DA-84-20 are registered on title as Instrument No. 305176 C.C, it is necessary to amend this agreement with the plans and drawings approved under Site Plan Control Application DA-89-98.

26. That the Chairman of the Planning and Development Committee, or his designate, be authorized to attend the Association for Preservation Technology Conference to be held 1990 September 5-8, in Montreal.

27. That leave be granted to introduce the following Bills:

- (a) Bill D-68 A By-law to amend Zoning By-law No. 6593 respecting lands located north of Rymal Road East, between Upper Sherman Avenue and Upper Wentworth Street.
- (b) Bill D-69 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 70 and 80 Lancing Drive.
- (c) Bill D-70 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1574 Upper Gage Avenue.
- (d) Bill D-71 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 1490 Upper Gage Avenue.
- (e) Bill D-72 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1610, 1614, 1620 and 1626 Upper Gage Avenue.
- (f) Bill D-73 A By-law to amend Zoning By-law No. 6593 respecting lands located east of Upper Wellington Street, south of the proposed Mountain Freeway.
- (g) Bill D-74 A By-law to amend Zoning By-law No. 6593 respecting lands located east of Upper Wellington Street, south of the proposed Mountain Freeway.
- (h) Bill D-75 A By-law to amend Zoning By-law No. 6593 respecting lands located east of Upper Wellington Street, south of the proposed Mountain Freeway.
- (i) Bill D-76 A By-law to adopt Official Plan Amendment No. 91 respecting a portion of the lands known municipally as 1441 Upper James Street, within the Ryckmans Neighbourhood.
- (j) Bill D-77 A By-law to establish Site Plan Control respecting lands located west of Nash Road, north of the C.N.R.
- (k) Bill D-78 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 89-320 respecting land located at Municipal No. 41 Rymal Road West.
- (l) Bill D-79 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 81-187 respecting land located at Municipal No. 1035 Main Street East.

- (m) Bill D-80 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 81-187 respecting land located at Municipal No. 1039 Main Street East.
- (n) Bill D-81 A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of Municipal Nos. 564, 570, 574, 580, 586, 590 and 596 Stone Church Road East.
- (o) Bill D-82 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 63 and 67 Malton Drive.
- (p) Bill D-83 A By-law to amend Zoning By-law No. 6593 respecting land located east and adjacent to Municipal No. 1686 Main Street West.
- (q) Bill D-84 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 88-241 respecting lands located at the north-west corner of Rymal Road East and Upper Wentworth Street.
- (r) Bill D-85 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 66-139 respecting land located at Municipal No. 142 Stone Church Road West.
- (s) Bill D-86 A By-law to amend Zoning By-law No. 6593 and Zoning By-laws No. 86-204 and 86-230 respecting lands located at Municipal Nos. 2774-2794 King Street East.
- (t) Bill D-87 A By-law to amend Building Code By-law No. 85-86 and The Property Standards By-law No. 74-74 respecting Fees.
- (u) Bill D-88 A By-law to designate an Improvement Area generally comprised of lands on the east and west sides of Main Street West between Locke Street on the west and Queen Street on the east.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1990 June 20







## REASONS FOR DESIGNATION

### TWENTIETH CENTURY CLUB BUILDING

172-176 Locke Street South

#### Context

Built in 1905-6 to serve primarily as the headquarters of the Twentieth Century Club, this distinctive two-storey brick building now forms part of a row of low-rise commercial buildings on the west side of Locke Street South between the railway bridge at Hunter Street and Herkimer Street. One of the earliest retail districts outside the downtown area, Locke Street South evolved after the turn-of-the-century into a thriving and largely self-contained shopping area for the surrounding residential neighbourhood, then the city's west end. It also became a focus of social activity, with several churches, a movie theatre (the Regent), a billiard hall and the Twentieth Century Club.

#### Historical Importance

Founded in 1901 as a combined political, social and recreational club for young male members of the Conservative Party, the Twentieth Century Club was reputedly the first of its kind in Hamilton. The club was located in temporary quarters on Locke Street South before erecting a permanent facility on land purchased in 1905. Owned by the Twentieth Century Club until 1947, the building at 172-176 Locke Street South continued to house the club for two more years, when it appears to have closed. In the course of its half century history, this successful club counted among its members such prominent citizens as Charles H. Peebles, clerk of the division court, who was one of its organizers and secretary-treasurer for twenty-two years, and Henry New, head of the Hamilton Pressed Brick Co., and one of the club's first presidents.

The club's assembly hall was located on the second floor of the building, with the ground floor being divided into a front section comprising two stores and a rear section, which was originally part of the club facility but was later converted to two apartments. Of the various types of businesses accommodated over the years, two are noteworthy for their longevity: the fruit market at #174 from 1918 to the late sixties and the drug store at #176 from 1907 to the late fifties.

#### Architectural Importance

Designed by F.J. Rastrick & Sons, the Twentieth Century Club is one of few known surviving buildings designed by the two sons of the noted Hamilton architect, Frederick J. Rastrick: Edward Llewellyn and Francis Reginald, who were in partnership together from 1898 until 1931. Characteristic in style of the smaller scale late Victorian commercial blocks erected in the city during the early 1900s, the Twentieth Century Club building is one of the best examples on Locke Street South. Of particular interest is the design of the three-bay upper facade, articulated by brick pilasters terminating in paired brackets which support an ornamental bracketed cornice. Above is a brick parapet and arched pediment displaying the club name and date of construction, which used to be

crowned by six sheet metal finials and other ornaments. Also noteworthy is the window treatment: a tall central window set into a round-arched stone frame, which is flanked by slightly bowed tripartite windows with stone frames. Apart from the recent loss of the sheet-metal ornamentation and the modernization of the club entrance, the original facade has been preserved largely intact, with only minor alterations to the two store fronts.

#### Designated Features

Important to the preservation of 172-176 Locke Street South are the original features of the main (east) and south facades, including the original windows, the stone trim, the sheet-metal cornice and the brick parapet.





TWENTIETH CENTURY CLUB BUILDING

172-176 Locke Street South

May 1990



## LOCKE STREET SOUTH

May 1990



View of west side of street showing the Twentieth Century Club building and a similar commercial block at 180-182 Locke Street South.



180-182 Locke Street South



## REASONS FOR DESIGNATION

### Tivoli Theatre, 108 -112 James Street North

Built in 1875 as a carriage factory for J.P. Pronguey, the building at 108-112 James Street North has served primarily as a theatre since 1908. In 1924, the building was substantially enlarged by an auditorium added to the rear to accommodate the Tivoli Theatre, the name by which the building has since been known.

#### Context

With its architecturally impressive facade, dominant corner tower, and high visibility, the Tivoli Theatre is a major contributing component of the James North heritage streetscape. It also provides a dramatic visual terminus to the block extending from Cannon to Wilson Street. The adjacent site at the north-east corner of James and Wilson was, for many years, occupied by the Grand Opera House and Hotel, erected in 1880 and demolished respectively in 1960 and 1986.

#### Historical Significance

In the course of its history, the building at 108-112 James Street North has served many different uses: a carriage works (until 1901), a bowling alley on the second floor (1908-64), various restaurants and retail businesses at street level; and of particular significance, a succession of theatres: the Wonderland (1908), the Colonial (1909-12), and the Princess (1913-23), all located in the space which became the lobby of the Tivoli Theatre, and finally, the Tivoli itself.

The Tivoli has an important place in Hamilton's theatre history. The Wonderland was reputedly the City's first film theatre while the Tivoli, a vaudeville theatre and motion picture house, was the first theatre to introduce sound movies in the late 1920s. Of the numerous theatres built in Hamilton during the early 20th century, the Tivoli counted among the seven largest and grandest, the most resplendent of which were the Capitol and the Palace. All but the Lyric (now the Century) and the Tivoli have been demolished; and of these two only the Tivoli Theatre has retained any part of its original interior decor.

#### Architectural Significance

##### Exterior

Clearly intended to make a bold statement of Pronguey's entrepreneurial ambitions, the original carriage factory was designed by Hamilton architect Albert H. Hills in the popular Second Empire style. Characteristic of this style are the steeply-pitched mansard roof with dormers, the bracketted cornices, and rich classical detailing. Noteworthy features of the Tivoli facade include the round-arched windows with two-over-two sash windows and ornate moulded surrounds, the gabled dormer windows, and the tall mansard-roofed tower. This convex-shaped tower displays narrow, paired



arched dormers surmounted by circular windows and a bracketted cornice, originally crowned by ornamental iron cresting.

The later Tivoli Theatre entrance originally featured an octagonal ticket office and an ornamental sign marquee, above which was a vertical "Tivoli" sign projecting at right angles to the street. Only the basic structure of the marquee, however, survived the major alterations made to the entrance in 1954.

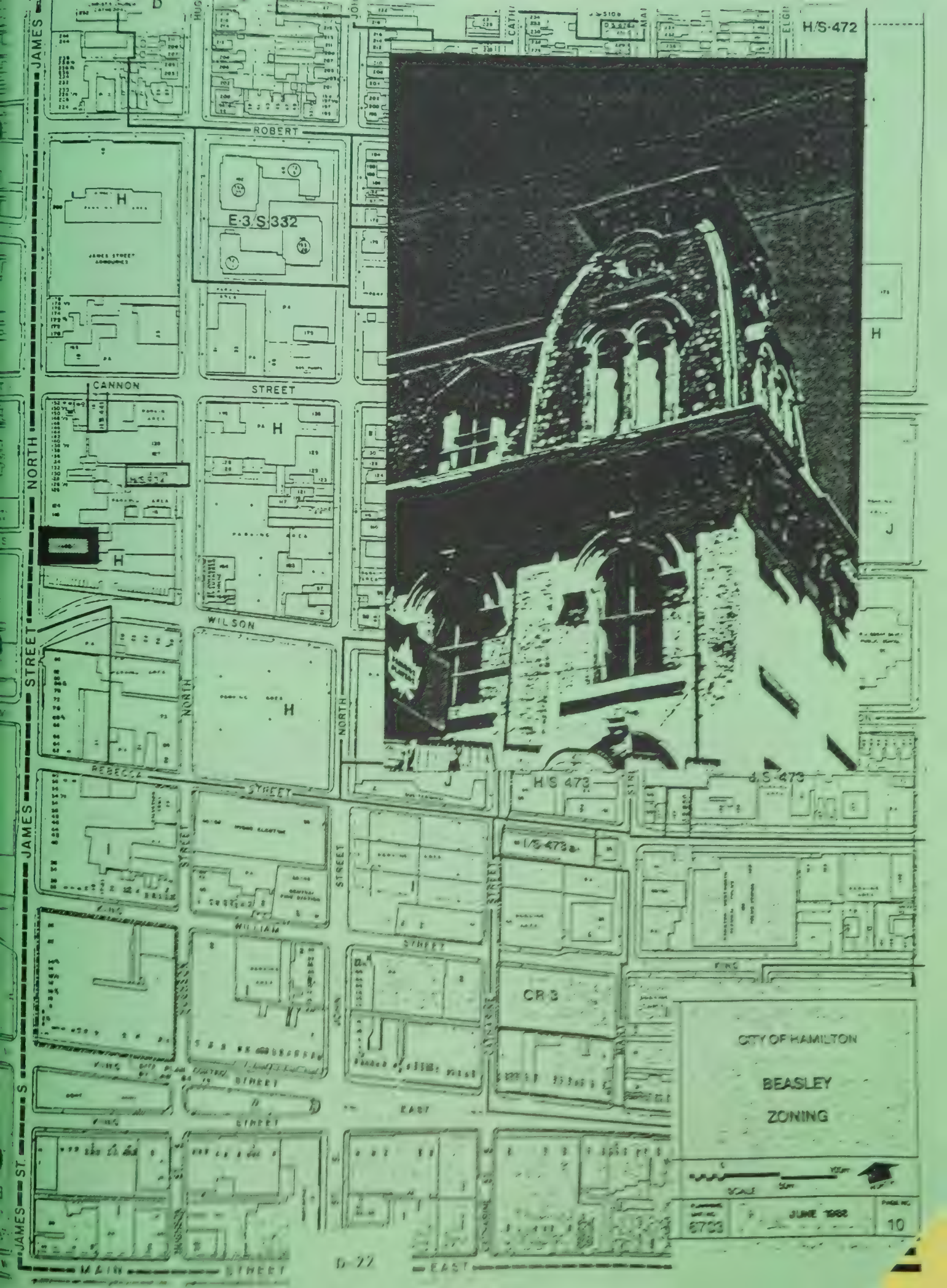
#### Interior

The Tivoli Theatre was greatly admired for its sumptuously decorated "Italian Renaissance" interior, designed by Toronto architect B. Kingston Hall. While a significant proportion of the original decor was removed or covered in the course of renovations undertaken in 1943, 1947 and 1954 (when the most extensive remodelling occurred), the main architectural features of the auditorium are still largely intact. These include the proscenium, the ceiling with its elliptical design, the decorative cornice and frieze below, and along each side wall: a colonnade comprising five round arches sprung from coupled pilasters. The two arches on either side of the stage still contain the original bronze statues of Caesar Augustus and the goddess Minerva. At the base of each of the other eight arches are medallions depicting the four seasons.

#### Designated Features

Important to the preservation of the Tivoli Theatre are:

1. the original architectural features of the front (west) and side (south) facades, including the upper-storey arched windows, moulded surrounds, bracketted cornice, and slate-covered mansard roof with its dormers and corner tower.
2. the original architectural features of the lobby and auditorium, including the ceilings, proscenium, colonnades, statuary, and other decorative wall elements. Excluded from designation are the more recent additions, such as the floor covering, seating and stage curtain.



H/S-472

E-3 S332

H/S 473

H/S-473

H/S 473

CR3

CITY OF HAMILTON

BEASLEY  
ZONING

SCALE 1" = 50'

PLANNING  
6703

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Tivoli Theatre, 108 -112 James Street North

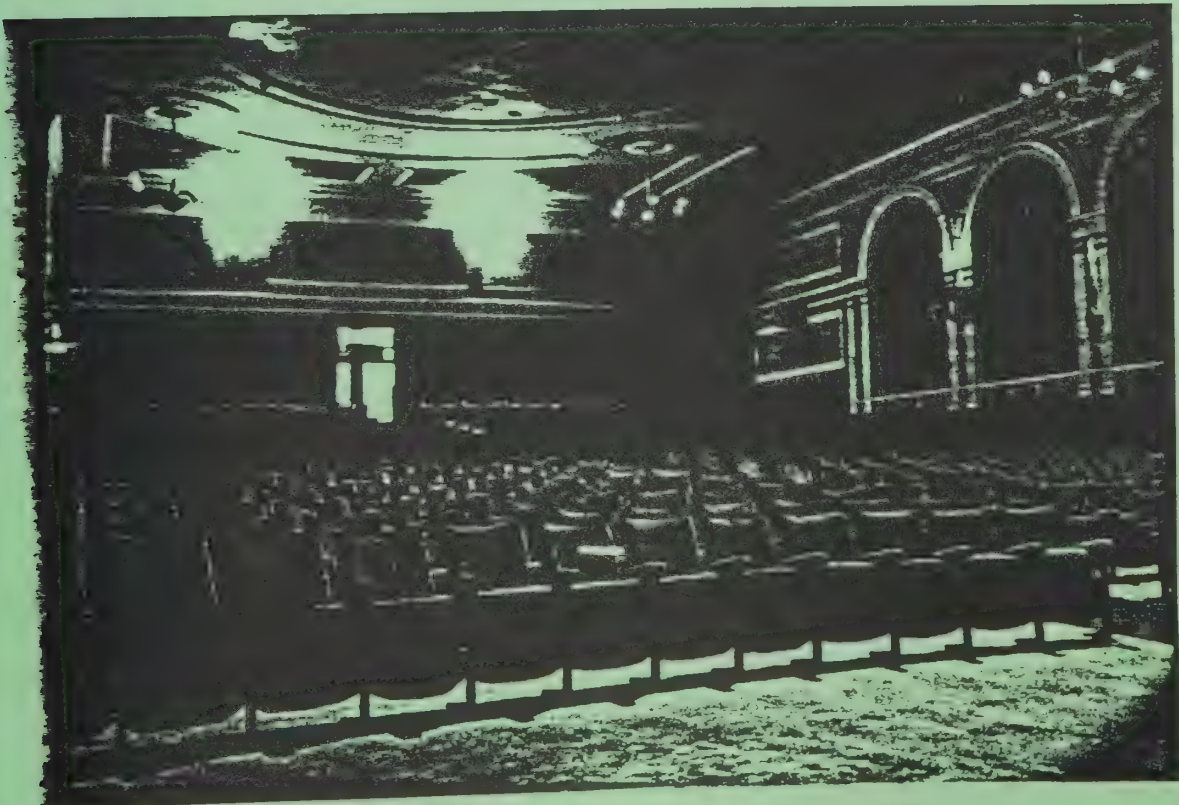
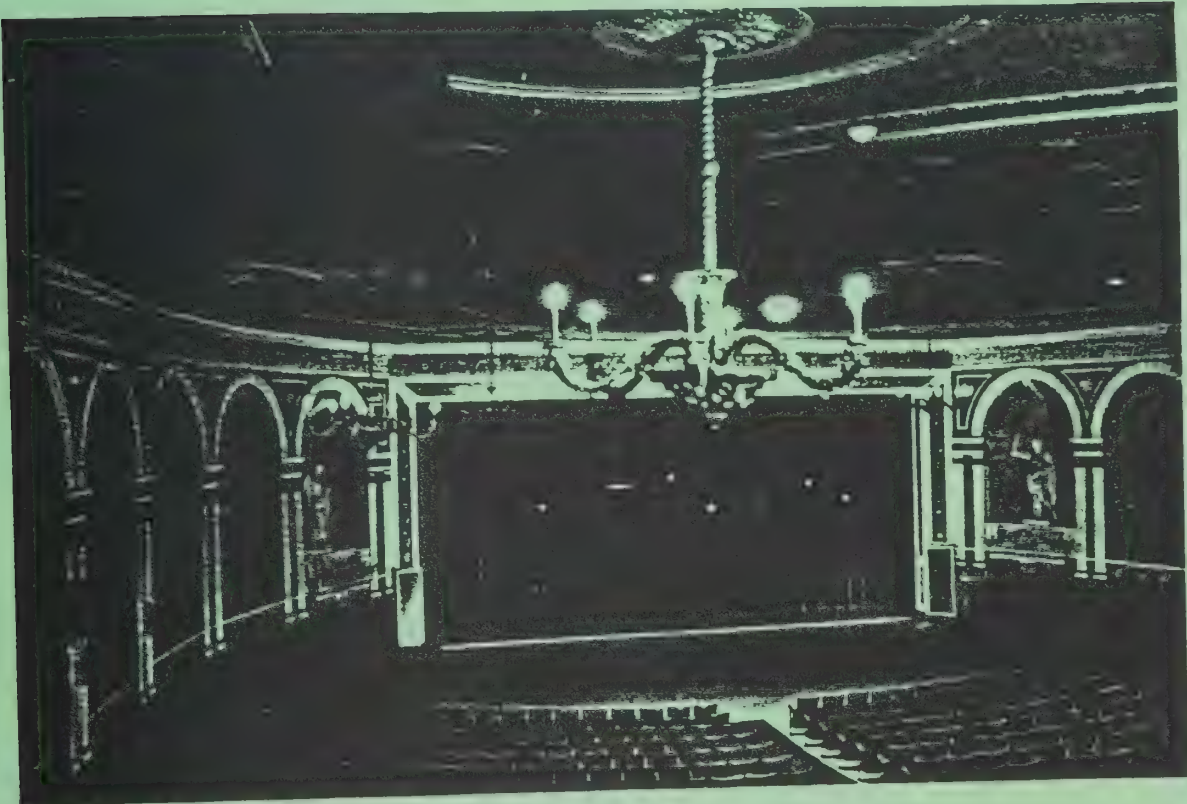
June 1990





Tivoli Theatre, 108 -112 James Street North

May 1988





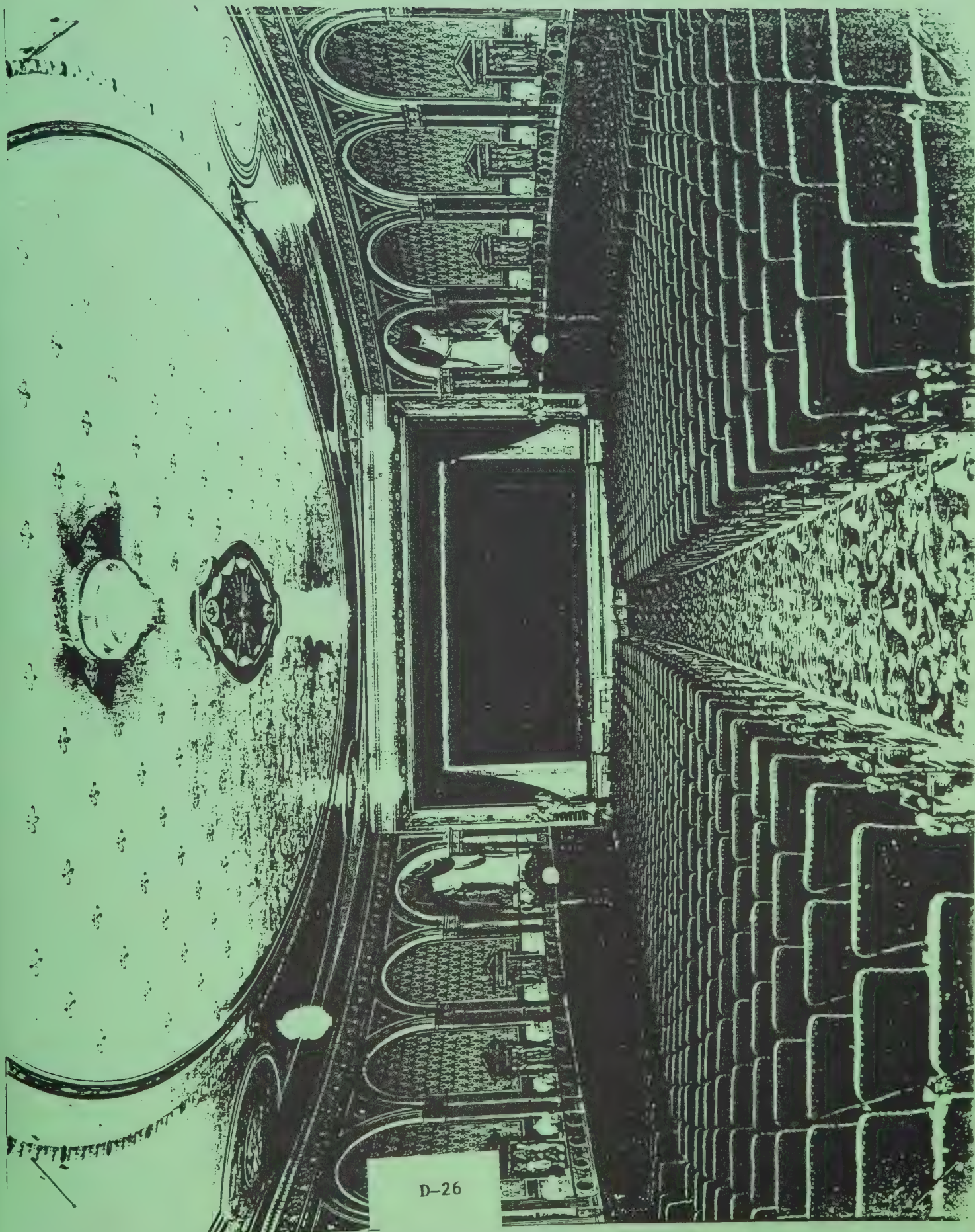


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Tivoli Theatre, 108 -112 James Street North

September 1930





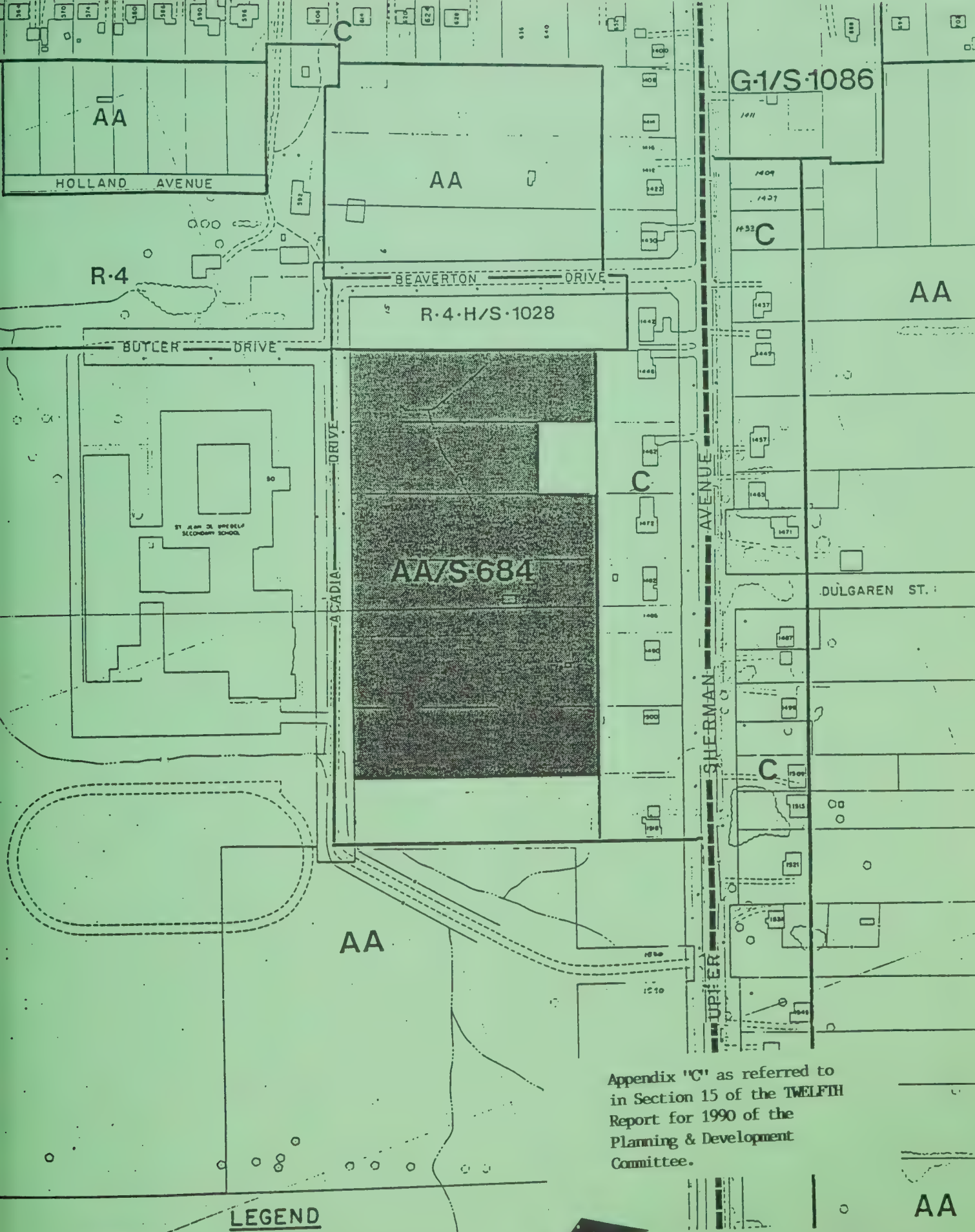
D-26

Tivoli Theatre, 108 -112 James Street North

September 1930

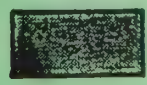




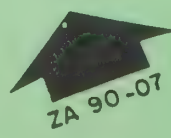


Appendix "C" as referred to  
in Section 15 of the TWELFTH  
Report for 1990 of the  
Planning & Development  
Committee.

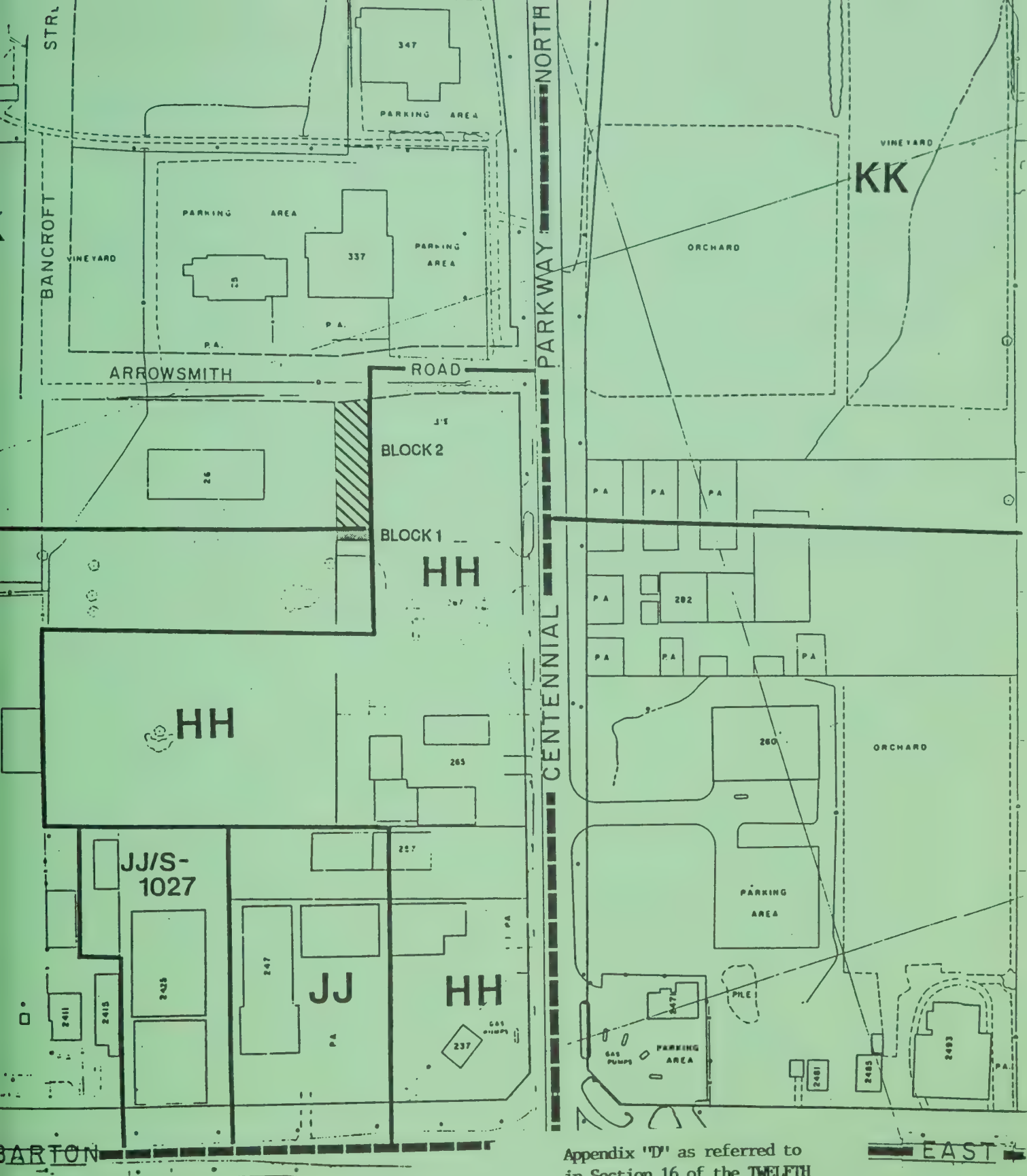
LEGEND



SITE OF THE APPLICATION







### Legend

Proposed change in zoning from:

BLOCK 1



BLOCK 2

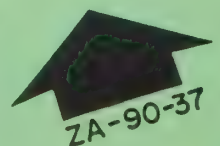


"JJ" (Restricted Light Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District.

"KK" (Restricted Heavy Industrial District) District to "HH" (Restricted Community Shopping and Commercial District) District.

Appendix "D" as referred to in Section 16 of the TWELFTH Report for 1990 of the Planning & Development Committee.

EAST

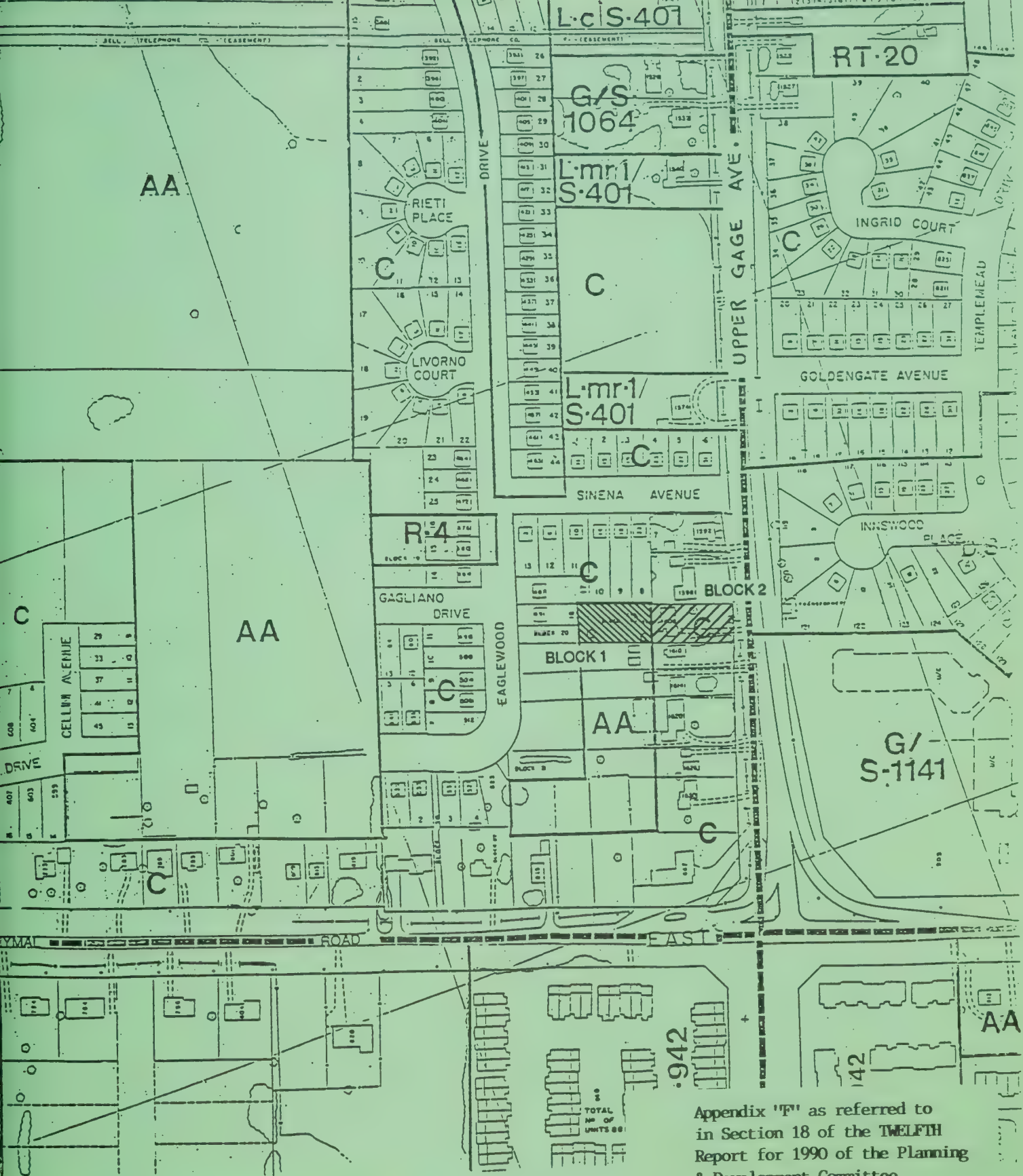












### Legend

Proposed change in zoning from:

Block 1



Block 2



"AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District.

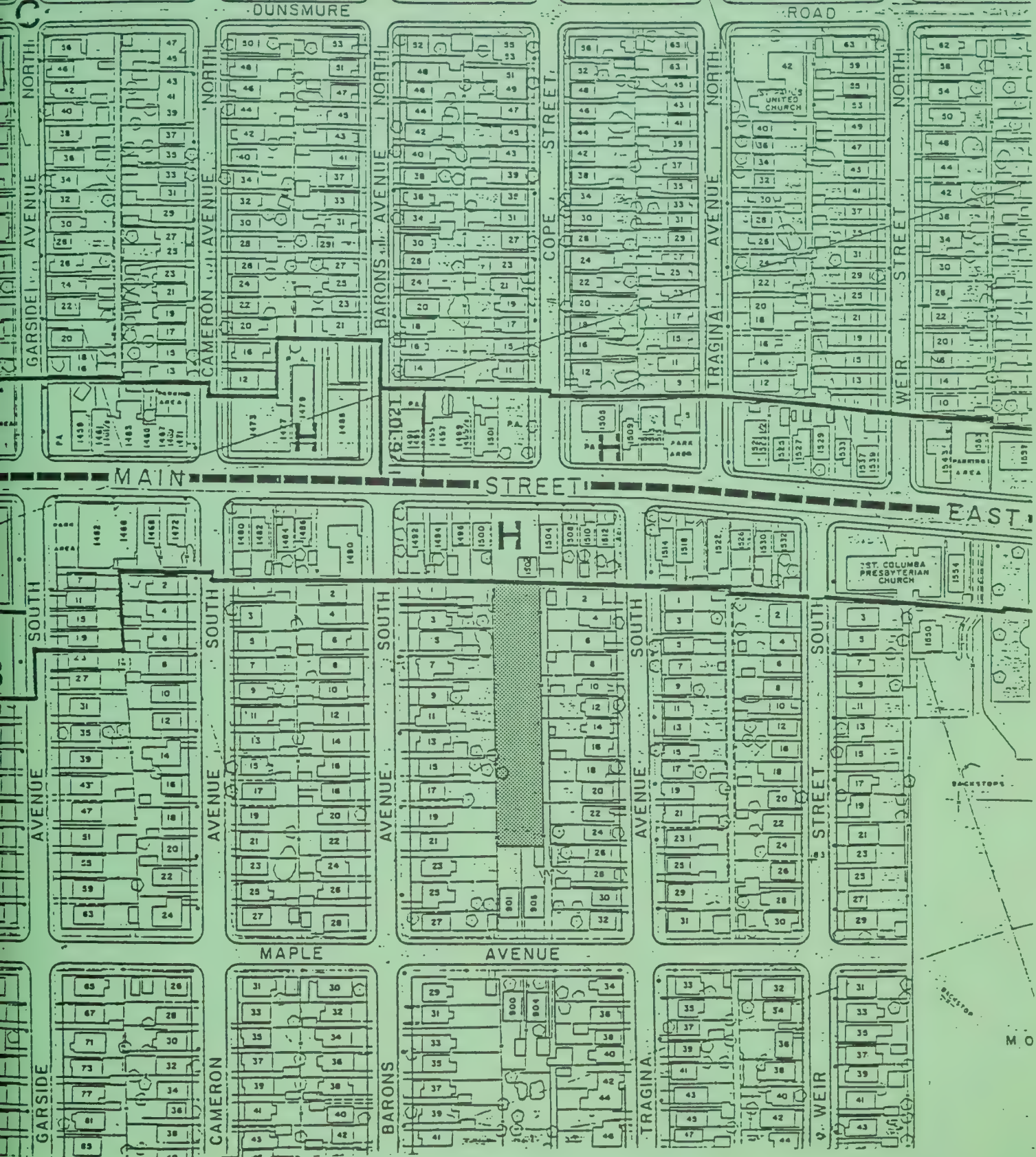
"C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District.

Appendix "F" as referred to in Section 18 of the TWELFTH Report for 1990 of the Planning & Development Committee.









### Legend

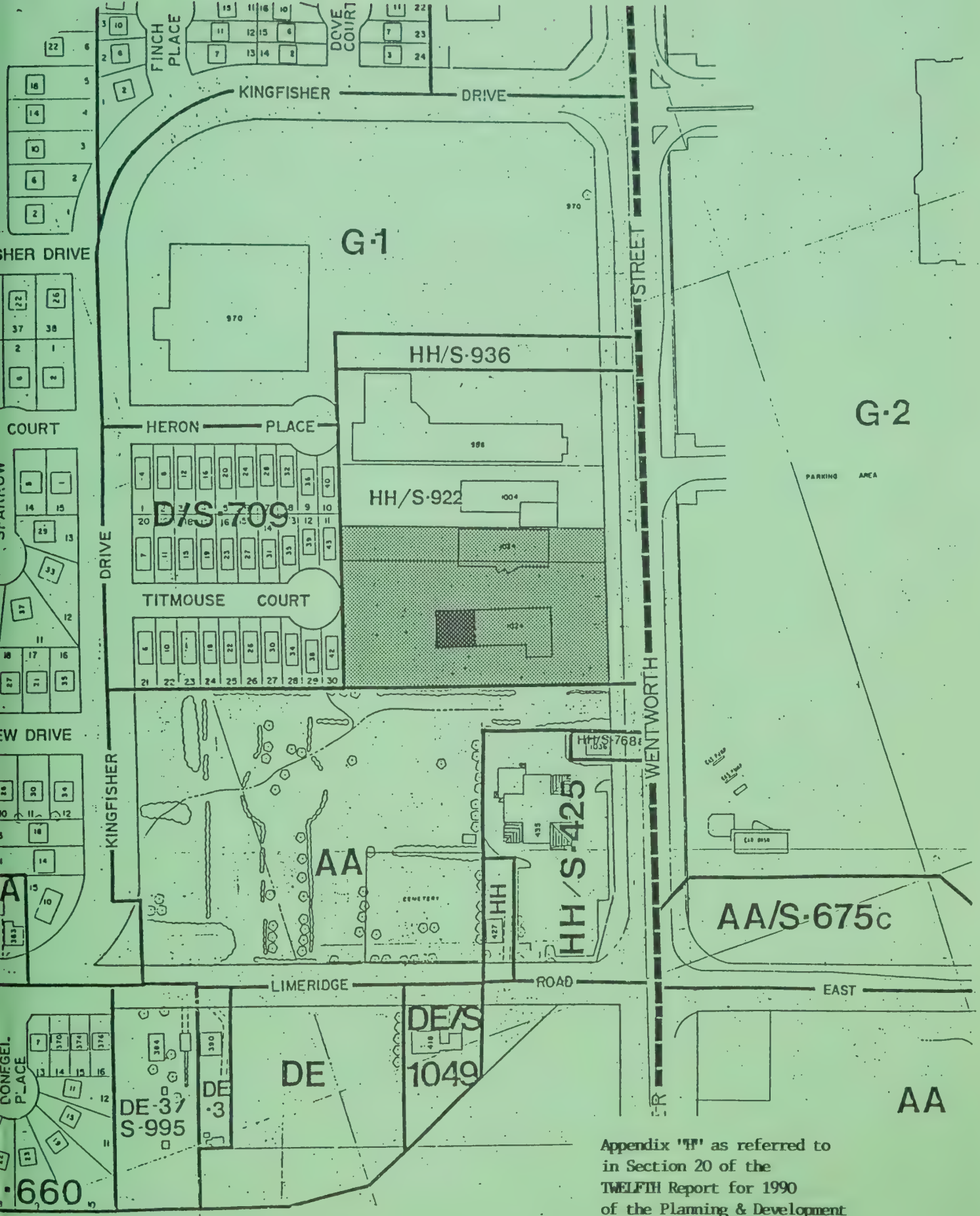


Site of the Application

Appendix "G" as referred to  
in Section 19 of the TWELFTH  
Report for 1990 of the  
Planning & Development  
Committee.







Legend

D-32



Site of the Application



Location of Proposed Body/Fender Repair and Paint Shop



APPENDIX



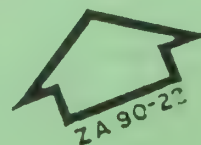




Legend



Site of the Application











## REPORT OF THE INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **FOURTH** Report for 1990 and respectfully recommends:

1. (a) That Triathlon Leasing of Richmond Hill provide leasing services in accordance with their proposal dated 1990 June 11. Lowest of four leasing proposals received.

One used IBM 3380-K Disk Drive at \$2 013./month for 36 months.

- (b) That funding be proved from Account No. CH56605 26020 (Central Processing - Leasing Computer Equipment).
- (c) That the leasing agreement be in a form satisfactory to the City of Hamilton Solicitor (The City of Hamilton is the Lessee).
- (d) That the City of Hamilton Mayor and Clerk be authorized to execute the above-mentioned lease agreement.

2. (a) That Scott Leasing of Mississauga provide leasing services in accordance with their proposal dated 1990 June 11. Lowest of five leasing proposals received.

One used IBM 3480-B tape drive at \$890./month for 36 months.

- (b) That funding be provided from Account No. CH56605 26020 (Central Processing - Leasing Computer Equipment).
- (c) That the leasing agreement be in a form satisfactory to the City of Hamilton Solicitor (The City of Hamilton is the Lessee).
- (d) That the City of Hamilton Mayor and Clerk be authorized to execute the above-mentioned lease agreement.

Respectfully Submitted

ALDERMAN J. GALLAGHER, CHAIRMAN  
INFORMATION SYSTEMS COMMITTEE

Mrs. L. Dale, Acting Secretary  
1990 June 21

njw









REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its FOURTH Report for 1990 and respectfully recommends:

1. That the Bingo Application of Advent Liberal Catholic Church (Hamilton) Inc., St. Luke's Liberal Catholic Church (Hamilton) Inc. and Blessed Trinity Community Church (Hamilton) Inc. be denied for a three-month period effective July 1st.

NOTE: For the information of Members of City Council, the City of Hamilton Licensing Committee at its meeting of 1990 May 23 recommended that the foregoing Licence Applications be denied on the grounds that the applicant failed to report payment of honorariums in excess of allowed amounts, which resulted in expenses in excess of the 15% maximum, all contrary to By-law 78-130, as amended, and the Provincial Terms and Conditions with respect to Bingo. (Further information may be obtained from the Secretary.)

RESPECTFULLY SUBMITTED

ALDERMAN W. McCULLOCH  
ACTING CHAIRMAN  
LICENSING COMMITTEE

Stella Glover  
Secretary

1990 May 23

## REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its FIFTH Report for 1990 and respectfully recommends:

1. That the Cab Driver Licence of Raphael J. Kolenko, 1270 Maple Crossing Boulevard, #1809, Burlington be denied until September 1st, 1990, and that issuance at that date be contingent upon the applicant committing no further driving infractions in the meantime.

NOTE: For information of members of City Council, the City of Hamilton Licensing Committee at its meeting of 1990 June 13 recommended that the foregoing Licence Application be denied until 1990 September 1st, on the grounds of the applicant's extensive driving record.

Mr. Kolenko's cab driver licence was suspended by City Council until 1989 December 31. Since that date he has committed further driving infractions. The above decision extends the suspension and attaches an additional condition.

2. That a Taxi Cab Owner Licence be issued to John Lynch, 78 Melvin Avenue, Hamilton, subject to Council approving the agreement attached hereto as Appendix "A" prohibiting the sale of the licences for five years.

NOTE: For the information of members of City Council, after conducting hearings on the application, the Licensing Committee decided on the 4th of April, 1990, that the applicant was found to meet the requirements for issuance of a taxi owners licence, based upon licenses held by his corporation. The agreement was a requirement of the Licensing Committee to prevent the sale of licences held by Mr. Lynch, and consistent with the requirements of Section 28 of the taxi schedule (by-law), which requires that licences not be transferred for a period of five years from issuance off the priority list. The agreement prevents direct and indirect transfers of licences by controlling both licence and share transfers by Mr. Lynch, and the corporation in which he is a one hundred percent shareholder. The Licensing Committee has already approved the form of the agreement which requires acceptance by Council prior to issuing any licence.

3. That a Taxi Cab Owner Licence be issued to Robert Bellamy, 350 Britannia Avenue, Hamilton subject to Council approving the agreement attached hereto as Appendix "B" prohibiting the sale of the licences for five years.

NOTE: For the information of members of City Council, after conducting hearings on the application, the Licensing committee decided on the 4th of April, 1990, that the applicant was found to meet the requirements for issuance of a taxi owners licence, based upon licences held by his corporation. The agreement was a requirement of the Licensing Committee to prevent the sale of licences held by Mr. Bellamy, and consistent with the requirements of Section 28 of the taxi schedule (by-law), which requires that licences not be transferred for a period of five years from issuance off the priority list. The agreement prevents direct and indirect transfers of licences by controlling both licence and share transfers by Mr. Bellamy, and the corporation in which he is a fifty percent shareholder. The Licensing Committee has already approved the form of the agreement which requires acceptance by Council prior to issuing any licence.

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON  
CHAIRMAN  
LICENSING COMMITTEE

Stella Glover  
Secretary

1990 June 13





THIS UNDERTAKING Made this 9th day of May, 1990.

BETWEEN:

JOHN LYNCH  
(hereinafter referred to as the "Applicant")

AND

668549 ONTARIO INC.  
(hereinafter referred to as the "Company")

AND

THE CORPORATION OF THE CITY OF HAMILTON  
(hereinafter referred to as the "City")

AND

THE CITY OF HAMILTON LICENSING COMMITTEE  
(hereinafter referred to as the "Licensing Committee")

WHEREAS the Applicant is a licence applicant on the priority list maintained by the City for issuances of taxi-cab owner's licences, and the Applicant desires to be considered as an owner of such licences for the purposes of section 25 of City By-law 89-249, as amended by City by-law 89-316, both of which may be amended from time to time and which are all collectively hereinafter referred to as the "City's By-law;

AND WHEREAS the Applicant holds one hundred (100) percent of the voting shares of the Company, which is listed as the holder of the City taxi-cab owner's licences more particularly listed in Schedule "A" hereto annexed;

AND WHEREAS the Company's voting shares are held in the proportion and by the persons more particularly set out in Schedule "B" hereto annexed;

AND WHEREAS the Licensing Committee has decided at its meeting of April 4th, 1990 that applicants who are individuals may in certain circumstances qualify as owner of taxi-cab owner's licence under the City's By-law, even though a company in fact is listed as the holder of the licences;

AND WHEREAS the Licensing Committee has decided that issuance of a taxi-cab owner's Licence to the Applicant would not be in the public interest, without an agreement on the part of the Applicant and the Company that for taxi-cab owner's licences currently held, and for those licences to be issued from the priority list, provisions similar to those found in section 28 of the City's By-law apply as if the Applicant and the Company were one and the same person, and further that any direct or indirect changes in control over the licences by the Applicant through the issuance and transfer of voting shares in the Company be prohibited, the terms of such agreement being more particularly described hereinafter below;

AND WHEREAS the Applicant herein acknowledges that the decision of the Licensing Committee above deems such agreement to be a condition precedent to the issuance of a licence to the Applicant, made necessary to qualify the Applicant in the circumstances existing at the time of the consideration of this application;

AND WHEREAS breach of this agreement is cause for the licensing Committee and the City to consider the breach as if the Applicant and the Company as one person had breached the provisions of section 28 of the City's By-law, by the transfer or attempted transfer of a taxi-cab owner's licence within the prohibited period following the issuance of such a licence from the priority list without surrendering the licence obtained from the priority

list;

AND WHEREAS the City's By-law is applicable to the Applicant and Company, and the procedures, conditions and law otherwise applicable to the licensing, regulating, and governing of owners of cabs, and that apply for revoking any such licence, apply without modification to both the Applicant and the Company separately as before this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that for other good and valuable consideration and the sum of One dollar (\$1.00) of lawful money of Canada given by both the City and the Licensing Committee to each of the Applicant and the Company, the receipt of which is hereby acknowledged, the Applicant and the Company each jointly and severally, covenant and agree with the City and the Licensing Committee, to comply with, keep, perform and be bound by each and every term, condition and covenant set out to the extent that the same are expressed to be respectively binding upon them, and the same shall enure to the benefits of and shall be binding upon their respective heirs, executors, administrators, successors and assigns.

#### TRUTH OF RECITALS

1. Both the Applicant and the Company hereby acknowledge and declare that the above recitals are true and correct in substance and in fact.

#### DEFINITIONS

2. For the purposes of this section and sections three and four of this Undertaking, the following additional definitions apply;

(a) "Licence Holder" shall include both the Applicant and the Company;

(b) "priority list" shall mean that list used for the issuance of taxi-cab owner's licences under the City's By-law;

(c) "Previously Issued Owner's Licence" shall include all taxi-cab owner's licences held by the Company, as set out in Schedule "A" hereto attached;

(d) "change in ownership" shall mean any issuance or transfer of voting shares of the Company which changes the list of shareholders, or the proportion of shares held, from that set out in Schedule "B" hereto attached.

#### TRANSFER OF LICENSES OR CONTROL PROHIBITED

3. Where the Licence holder receives a taxi-cab owner's licence from the City's priority list, unless the prior written consent of the City's Licensing Department and of the Licensing Committee are given, the Licence Holder agrees that:

(a) for a period of at least five (5) consecutive years from the date of receipt of the most recent taxi-cab owner's licence from the priority list, the Licence Holder shall not transfer any taxi-cab owner's licence nor shall such transfer be approved, unless the most recently issued taxi-cab owner's licence is surrendered to the Licensing Committee for cancellation; and,

(b) for a period of at least five (5) consecutive years from the date of receipt of the most recent taxi-cab owner's licence from the priority list, the Licence Holder shall not make or consent to any change in ownership of the Company, unless the most recently issued taxi-cab owner's licence is surrendered to the Licensing Committee for cancellation.



TERMINATION

This Undertaking shall terminate upon the expiry of five (5) years from the date of issuance of the most recent taxi-cab owner's licence from the priority list.

FURTHER ACTS AND DOCUMENTS

The Applicant and the Company promise to do or cause to be done all further lawful, necessary and reasonable acts, deeds or assurances, in a reasonable and timely manner, for the better performance of the terms and conditions of this Undertaking. No omission or failure to complete this obligation may be asserted or relied upon by the Applicant or the Company to defeat the purpose and intent of this Undertaking or deny the benefits and rights intended to be established therein by the City and the Licensing Committee.

INCONTESTABILITY

Neither the Applicant nor the Company will call into question directly or indirectly in any proceeding whatsoever in law or in equity or before any administrative or other tribunal the right of the City or the Licensing Committee to enter into or accept this agreement and to enforce each and every term, covenant and condition thereof and this provision may be pleaded by the City or the Licensing Committee in any such action or proceeding as a complete and conclusive estoppel of any denial of such right.

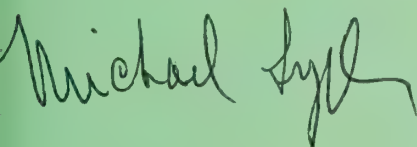
SEVERANCE OF ULTRA VIRES TERMS

If any term of this Undertaking shall be found to be ultra vires of the City or Licensing Committee, or otherwise unlawful, such term shall conclusively be deemed to be severable and the remainder of this Undertaking mutatis mutandis shall be and remain in full force and effect.

IN WITNESS WHEREOF the Applicant has hereunto set his hand and seal, and the Company has hereunto caused to be affixed its corporate seal attested by the hands of its proper officers, both on the day and year first above written.


SIGNED, SEALED AND DELIVERED

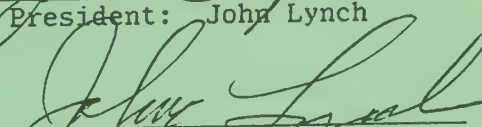
in the presence of



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668549 ONTARIO INC., per:

  
President: John Lynch

  
John Lynch

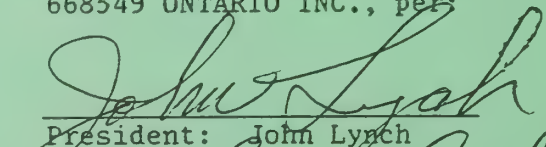
SCHEDULE "A"

This is Schedule "A" to the Undertaking dated May 9th, 1990, given by John Lynch and 668549 ONTARIO INC. to the Corporation of the City of Hamilton and the City of Hamilton Licensing Committee to which it is attached and forms a part.

Taxi Owners Licenses which are currently held by 668549 ONTARIO INC.:

City of Hamilton Taxi Owner Plate numbers 28, 36, 76, and 181.

668549 ONTARIO INC., per:

  
President: John Lynch

  
John Lynch

SCHEDULE "B"

This is Schedule "B" to the Undertaking dated May 9th, 1990 given by John Lynch and 668549 ONTARIO INC. to the Corporation of the City of Hamilton and the City of Hamilton Licensing Committee to which it is attached and forms a part.

Holders of Voting Shares in 668549 ONTARIO INC. and proportions of shares held:

Shareholder

Percentage of Shares Held

John Lynch

One Hundred Percent (100%)

668549 ONTARIO INC., per:

  
President: John Lynch

  
John Lynch



THIS UNDERTAKING Made this 9 day of May, 1990.  
BETWEEN :

ROBERT GEORGE BELLAMY  
(hereinafter referred to as the "Applicant")  
AND  
740884 ONTARIO LIMITED  
(hereinafter referred to as the "Company")  
AND  
THE CORPORATION OF THE CITY OF HAMILTON  
(hereinafter referred to as the "City")  
AND  
THE CITY OF HAMILTON LICENSING COMMITTEE  
(hereinafter referred to as the "Licensing Committee")

WHEREAS the Applicant is a licence applicant on the priority list maintained by the City for issuances of taxi-cab owner's licences, and the Applicant desires to be considered as an owner of such licences for the purposes of section 25 of City By-law 89-249, as amended by City by-law 89-316, both of which may be amended from time to time and which are all collectively hereinafter referred to as the "City's By-law";

AND WHEREAS the Applicant holds fifty (50) percent of the voting shares of the Company, which is listed as the holder of the City taxi-cab owner's licences more particularly listed in Schedule "A" hereto annexed;

AND WHEREAS the Company's voting shares are held in the proportion and by the persons more particularly set out in Schedule "B" hereto annexed;

AND WHEREAS the Licensing Committee has decided at its meeting of April 4th, 1990 that applicants who are individuals may in certain circumstances qualify as owner of taxi-cab owner's licences under the City's By-law, even though a company in fact is listed as the holder of the licences;

AND WHEREAS the Licensing Committee has decided that issuance of a taxi-cab owner's licence to the Applicant would not be in the public interest, without an agreement on the part of the Applicant and the Company that for taxi-cab owner's licences currently held, and for those licences to be issued from the priority list, provisions similar to those found in section 28 of the City's By-law apply as if the Applicant and the Company were one and the same person, and further that any direct or indirect changes in control over the licences by the Applicant through the issuance and transfer of voting shares in the Company be prohibited, the terms of such agreement being more particularly described hereinafter below;

AND WHEREAS the Applicant herein acknowledges that the decision of the Licensing Committee above deems such agreement to be a condition precedent to the issuance of a licence to the Applicant, made necessary to qualify the Applicant in the circumstances existing at the time of the consideration of the his application;

AND WHEREAS breach of this agreement is cause for the Licensing Committee and the City to consider the breach as if the Applicant and the Company as one person had breached the provisions of section 28 of the City's By-law, by the transfer or attempted transfer of a taxi-cab owner's licence within the prohibited period following the issuance of a such a licence from the priority list without surrendering the licence obtained from the priority list;

AND WHEREAS the City's By-law is applicable to the Applicant and Company, and the procedures, conditions and law otherwise applicable to the licensing, regulating, and governing of owners of cabs, and that apply for revoking any such licence, apply without modification to both the Applicant and the Company separately as before this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that for other good and valuable consideration and the sum of One dollar (\$1.00) of lawful money of Canada given by both the City and the Licensing Committee to each of the Applicant and the Company, the receipt of which is hereby acknowledged, the Applicant and the Company each jointly and severally, covenant and agree with the City and the Licensing Committee, to comply with, keep, perform and be bound by each and every term, condition and covenant set out to the extent that the same are expressed to be respectively binding upon them, and the same shall enure to the benefits

of and shall be binding upon their respective heirs, executors, administrators, successors and assigns.

#### TRUTH OF RECITALS

1. Both the Applicant and the Company hereby acknowledge and declare that the above recitals are true and correct in substance and in fact.

#### DEFINITIONS

2. For the purposes of this section and sections three and four of this Undertaking, the following additional definitions apply;

- (a) "Licence Holder" shall include both the Applicant and the Company;
- (b) "priority list" shall mean that list used for the issuance of taxi-cab owner's licenses under the City's By-law;
- (c) "Previously Issued Owner's Licence" shall include all taxi-cab owner's licences held by the Company, as set out in Schedule "A" hereto attached;
- (d) "change in ownership" shall mean any issuance or transfer of voting shares of the Company which changes the list of shareholders, or the proportion of shares held, from that set out in Schedule "B" hereto attached.

#### TRANSFER OF LICENSES OR CONTROL PROHIBITED

3. Where the Licence Holder receives a taxi-cab owner's licence from the City's priority list, unless the prior written consents of the City's Licensing Department and of the Licensing Committee are given, the Licence Holder agrees that :

- (a) for a period of at least five (5) consecutive years from the date of receipt of the most recent taxi-cab owner's licence from the priority list, the Licence Holder shall not transfer any taxi-cab owner's licence nor shall such transfer be approved, unless the most recently issued taxi-cab owner's licence is surrendered to the Licensing Committee for cancellation; and,
- (b) for a period of at least five (5) consecutive years from the date of receipt of the most recent taxi-cab owner's licence from the priority list, the Licence Holder shall not make or consent to any change in ownership of the Company, unless the most recently issued taxi-cab owner's licence is surrendered to the Licensing Committee for cancellation.

#### TERMINATION

4. This Undertaking shall terminate upon the expiry of five (5) years from the date of issuance of the most recent taxi-cab owner's licence from the priority list.

#### FURTHER ACTS AND DOCUMENTS

5. The Applicant and the Company promise to do or cause to be done all further lawful, necessary and reasonable acts, deeds or assurances, in a reasonable and timely manner, for the better performance of the terms and conditions of this Undertaking. No omission or failure to complete this obligation may be asserted or relied upon by the Applicant or the Company to defeat the purpose and intent of this Undertaking or deny the benefits and rights intended to be established therein by the City and the Licensing Committee.

#### INCONTESTABILITY

6. Neither the Applicant nor the Company will call into question directly or indirectly in any proceeding whatsoever in law or in equity or before any administrative or other tribunal the right of the City or the Licensing Committee to enter into or accept this agreement and to enforce each and every term, covenant and condition thereof and this provision may be pleaded by the City or the Licensing Committee in any such action or proceeding as a complete and conclusive estoppel of any denial of such right.

#### SEVERANCE OF ULTRA VIRES TERMS

7. If any term of this Undertaking shall be found to be ultra vires of the City or the Licensing Committee, or otherwise unlawful, such term shall conclusively be deemed to be severable and the remainder of this Undertaking mutatis mutandis shall be and remain in full force and effect.

IN WITNESS WHEREOF the Applicant has hereunto set his hand and seal, and the Company has hereunto caused to be affixed its corporate seal attested by the hands of its proper officers, both on the day and year first above written.

SIGNED, SEALED AND DELIVERED ) 740884 ONTARIO LIMITED, per:

In the presence of

President :

Robert George Bellamy

This is Schedule "A" to the Undertaking dated <sup>June 9</sup> May, 1990, given by Robert George Bellamy and 740884 ONTARIO LIMITED to the Corporation of the City of Hamilton and the City of Hamilton Licensing Committee to which it is attached and forms a part.

Taxi Owners Licenses which are currently held by 740884 ONTARIO LIMITED :

City of Hamilton Taxi Owner Plate numbers 108, 203, and 225.

*RB*  
*RB*

This is Schedule "B" to the Undertaking dated <sup>June 9</sup> May, 1990 given by Robert George Bellamy and 740884 ONTARIO LIMITED to the Corporation of the City of Hamilton and the City of Hamilton Licensing Committee to which it is attached and forms a part.

Holders of Voting Shares in 740884 ONTARIO LIMITED and Proportions of shares held:

<u>Shareholder</u>	<u>Percentage of Shares Held</u>
Robert George Bellamy	Fifty Percent (50%)
Sharon Anne Bellamy	Fifty Percent (50%)

*RB*  
*RB*









## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its NINETEENTH Report for 1990 and respectfully recommends:

1. That a purchase order be issued to J. P. Hammill, Guelph, in the amount of \$67 746 plus 8% Provincial sales tax, for the supply and delivery of Fatigue Uniforms for the Hamilton Fire Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

As there is only one Council at the end of June, and delivery is four to six weeks, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

NOTE: Lowest of three (3) tenders received. Funds provided in Uniforms, Clothing and Accessories Account No. CH561104 48001.

2. That a purchase order be issued to Tenneco Canada Inc., d/b/a Case Power, Grimsby, in the amount of \$77 544 for the replacement of one (1) Integral Tractor Loader, Unit #9503, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

3. That a purchase order be issued to King Equipment Manufacturing Corp., Woodstock, in the amount of \$116 388.36 for the replacement of one (1) 26 500 lb. GVW Truck with Hydraulic Telescoping Aerial Device, Unit #9005, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

4. That a purchase order be issued to Bryan's Farm & Industrial, Puslinch, in the amount of \$21 168 for the replacement of one (1) 4 Wheel Drive Compact Tractor, Unit #9507, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of five (5) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

5. That a purchase order be issued to Starfield Safetywear Mfg., Toronto, for the supply and delivery of forty (40) Bunker Suits for the Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal, as follows:

Protective Coat	-	\$464 each
Protective Trouser	-	\$311 each

Federal and Provincial sales taxes extra

NOTE: Lowest acceptable of three (3) proposals received. Funds provided in Protective Clothing Account No. CH56226 48001.

6. That a purchase order be issued to CTI Business Interiors, Mississauga, in the amount of \$41 956.31 for the supply and delivery of Office Furniture for the Traffic Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in Traffic Department Renovations Account No. CF5573 318841201.

7. That the gross cost of \$30 000 for the Feasibility/Needs Study for senior citizens, as approved by City Council 1989 January 31, be increased to \$49 900 to correspond with the contract issued to the Institute of Environmental Research, and that the original City's cost of \$30 000 be reduced to \$12 475 as a result of the Ministry of Tourism and Recreation's 75% grant.

8. That the City's share of services to be installed in the (i) Beaverton Estate in the amount of \$174 940.50; (ii) Sandrina Gardens Phase I in the amount of \$160 296; and (iii) Effort Gardens in the amount of \$230 478.83, for a total of \$565 715.33, as referred to in Section 9 of the NINTH Report of the Transport and Environment Committee, be financed from the Reserve for City's Share of Services through Unsubdivided Lands.

9. That the City's share of services to be installed in Bar-Rock Estates - temporary payment on Dulgaren Street from Eleanor Avenue to Presidio Drive, in the gross amount of \$9 000, as referred to in Section 8 of the NINTH Report of the Transport and Environment Committee, be financed from the Reserve for City's Share of Services through Unsubdivided Lands.
10. That the estimated \$45 000 required to provide two bocci courts and fencing at each of the locations at William McCulloch Park, Sam Manson Park and Rosedale Arena, as referred to in Section 16 of the TWELFTH Report of the Parks and Recreation Committee, be funded from the "Reserve for Parkland (5% Fund)".
11. That the estimated \$18 000 cost to repair the Inch Park Tennis Court as referred to in Section 21 of the TWELFTH Report of the Parks and Recreation Committee, be financed from the "Reserve for Major Repairs and Improvements to City-Owned Property", Centre No. 00109.
12. That the \$46 000 required as a base transfer to the Culture and Recreation Department's budget to provide funding for Wesley Urban Ministries - Victoria Park Community Centre, as approved by City Council 1990 May 29, be funded by a transfer of appropriation from the Contingency Account No. CH50010 24120 to an appropriate account within the Recreation budget.

NOTE: City Council at its meeting of 1990 May 29 adopted Section 19 of the Eleventh Report of the Parks and Recreation Committee which directed the Treasurer to find the funds for the above purpose.

13. That the gross cost of the "Sander/Wing Plow Project" (Centre 608951001) be reduced by \$9 000, from \$85 000 to \$76 000, and that the gross cost of the "New Equipment - Vacalls, Steam Jenny, Elephant Vacs" (Centre 609051014) project be increased by \$9 000, from \$213 000 to \$222 000, in order to accommodate an additional requirement for the Vacalls portion of the project.
14. (a) That permission be granted to the Adult Basic Education Association of Hamilton-Wentworth to use the City Hall forecourt on Wednesday, 1990 July 4 at 12:00 noon for a ceremony to commemorate International Literacy Year and the "Book Voyage", including the use of various equipment.  
  
(b) That the International Literacy Year Flag be flown at City Hall from 12:00 noon 1990 July 4 until July 31.



15. That, as provided for in Section 123 (1) of the Education Act dealing with the correction of a clerical error in respect of School support, the taxes for the Municipal property known as 20 Hempstead Drive, in the City of Hamilton, be directed to the Separate School Board.
16. That, as provided for in Section 123 (1) of the Education Act dealing with the correction of a clerical error in respect of School support, the taxes for the Municipal property known as 672 Barton Street East, 1st, in the City of Hamilton, be directed to the Separate School Board.
17. That a civic silver ring be awarded to Miss Theresa Wolf in recognition of winning the Women's Novice Canadian Gymnastics Federation 1990 national title held in Halifax, Nova Scotia 1990 May 17-20.
18. That the Appointments To and Terminations from Permanent positions with the Corporation to June 13, 1990, attached hereto and marked Appendix "A", be approved.
19. That the contract settlement of The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton), attached hereto as Appendix "B", be received pursuant to the Fair Wage Policy of the City of Hamilton.
20. That the Memorandum of Agreement between the Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association dated 1990 May 23 and attached hereto as Appendix "C", be approved and implemented in accordance with the terms therein.
21. That the hourly rate of pay for the positions of Snack Bar Clerk and Outside Activity Assistant be set, effective 1990 July 1, at:
  - Step 1 - \$6.00 per hour
  - Step 2 - \$6.15 per hour
  - Step 3 - \$6.30 per hour

NOTE: In order to remain competitive in the marketplace and to reduce staff turnover in these positions, it is necessary to increase these rates from the current level of \$5.263 per hour. The Department of Culture and Recreation advises that this increase in cost (less than \$1 000) can be accommodated within its budget.



22. That the fees paid to the City Doctor, J. Douglas Bell, M.D., for the examination of firefighters on a regular basis, be increased by 5% effective 1990 January 1.

NOTE: The increased amount was approved in the 1990 Hamilton Fire Department Budget, Account No. CH55403 48001.

23. That the City of Hamilton appoint Mr. John Johnston to the position of Commissioner of Human Resources.

NOTE: This appointment was approved by Regional Council on 1990 June 19.

24. That the Terms of Reference for the Keep Hamilton Clean Committee be changed by the addition of one member to adjust the Committee membership from nine to ten citizen members.

25. That a maximum of seven (7) Members of City Council be authorized to attend the 1990 Annual Conference of the Association of Municipalities of Ontario to be held in the City of Toronto 1990 August 19 - 22.

26. (a) That a grant in the amount of \$2 000 be made to The Ontario Plumbing Inspectors' Association to be used to assist in staging and hosting their annual meeting and technical conference to be held in Hamilton 1990 September 16 - 20.

- (b) That this expenditure be funded from Hosting of Conferences with Municipal Subject Content, Account No. CH55307 80040.

27. That based on the complaint filed by Mr. & Mrs. D. Menechella for Lot #39, Kingsberry Gardens, Phase 4, the development charges be amended to the charges in effect prior to 1990 March 27 under 8(5)(b) of the Development Charges Act.

NOTE: City Council at its meeting held 1990 March 27 approved Development Charges By-law #90-74 pursuant to the Development Charges Act, 1989. The by-law prescribes development charges for residential and non-residential uses. These charges are collected to pay for services which the City must provide to newly developed areas.

The by-law contains a statement enacting the requirements as of 1990 March 27, however, building permit applications made before 1990 March 27 are exempt from the by-law requirements.

Section 8 of the Development Charges Act allows an owner to file a complaint to council pertaining to charges required by the municipality. Council has authority under 8(5) of the Act as follows:-

- 8(5) After hearing the evidence and submissions of the complainant, the council may,
  - (a) confirm the development charge; or
  - (b) amend the development charge to the extent that, in the opinion of the council, a review of any or all of the matters in subsection (1) justifies such an amendment.
- 28. (a) That approval be given to the action taken by the Finance and Administration Committee in approving an expenditure, estimated at \$1 150, to send the Manager of Cultural Services to promote the City of Hamilton at the 1990 Canadian Museum Association Conference in Edmonton 1990 June 20-24.
- (b) That this expenditure be funded from Hosting of Conferences with Municipal Subject Content, Account No. CH55307 80040.
- (c) That an amount of \$20 000 be committed in the 1991 budget of the Department of Culture and Recreation, for the City of Hamilton to co-host the 1991 Canadian Museum Association Conference to be held in Hamilton.
- 29. That Alderman Lombardo and two (2) other Members of City Council be appointed to a Comprehensive Audit Steering Committee for the Property Department and that the Comprehensive Audit be proceeded with as soon as possible.
- 30. (a) That the Terms of Reference for the Comprehensive Audit for the Licencing Division of the City Clerk's Department, attached hereto as Appendix "D", be approved.
- (b) That the Manager of Purchasing be requested to prepare Proposal Call Documents for distribution to interested parties.
- 31. That a purchase order be issued to The Coopers & Lybrand Consulting Group, Kitchener, in the amount of \$73 800 to conduct a comprehensive audit of the Hamilton Entertainment and Convention Facilities Inc., in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's submission.

NOTE: Lowest acceptable of three (3) proposals received. Funds provided in Comprehensive Audit HECFI Account No. CH56395 24101.

32. That the following resolutions be endorsed:

- (a) City of Cambridge respecting funding criteria for "Recreational and Social Services Programs":

The City of Cambridge supports a number of Neighbourhood Associations that provide a variety of recreational programs and services to the residents of the City.

As these recreational programs and services are 'social services' that directly facilitate the development of the community; and as these programs are typically not funded by the Province;

The City of Cambridge requests the Association of Municipalities of Ontario to petition the Province to revise its funding criteria for 'recreational and social services programs'.

AND THAT this resolution be circulated to Regional MPP's and all Ontario municipalities with a population of over 50 000.

- (b) McMaster Co-Operative Housing Corporation respecting the development of a co-operative housing complex to provide affordable housing for the graduate student community at McMaster University:

WHEREAS, a shortage of on-campus housing in recent years has put increasing pressure on the Westdale area to handle the large number of students requiring accommodation close to McMaster University,

AND WHEREAS, demand for off-campus housing in the Westdale and West Hamilton areas often results in overcrowding and violation of Municipal by-laws and fire regulations,

AND WHEREAS, the need for affordable housing in West Hamilton, primarily to meet the needs of graduate students (singles, married, and married with dependents) at the University, has been documented in detail and submitted with an application under the FP91 Program filed April 30, 1990 at the Southern Region Housing Programs Office in Hamilton,

AND WHEREAS, construction of a housing complex by the McMaster Co-Operative Housing Corporation will relieve some pressure for affordable housing in the Westdale and West Hamilton areas,

AND WHEREAS, some 12.5% of the units in the complex will be filled from the Hamilton Housing Authority waiting lists.



NOW THEREFORE BE IT RESOLVED, that the Council of the City of Hamilton respectfully request the Honourable Mr. John Sweeney, Minister of Housing and Municipal Affairs, to expedite approval of an allocation of 150 housing units under the affordable housing program FP91, or the HOMES NOW program, as requested by the McMaster Co-Operative Housing Corporation.

33. That the City Solicitor be authorized and directed to apply to the Chief Judge of the Provincial Court (Criminal Division) for set fines to enable the City to issue Provincial Offence Notices (tickets) for contravention of the Fireworks By-law.

NOTE: The Fireworks By-law is being introduced to City Council for approval in Section 38 (a) of this Report.

34. (a) That the City of Hamilton pay the sum of \$20 000 inclusive of all interest and costs, to the Plaintiffs, Elaine and Wayne Armstrong, in Supreme Court of Ontario, Action No. 63089/89, in full and final settlement of their claim.
- (b) That the Plaintiffs be required to sign a Release satisfactory to the City Solicitor and consent to the dismissal of the action, without costs, upon payment of the settlement funds.
35. (a) That the City of Hamilton offer to settle Supreme Court of Ontario Action 4647/88 by payment to the Plaintiff, Edward Legacy, of the total sum of \$18 280.54 inclusive of interest, costs and disbursements.
- (b) That upon acceptance of the Offer, the Plaintiff be required to provide a Release to the City, satisfactory to the City Solicitor, and consent to the dismissal of the action against the City of Hamilton.
36. (a) That the City settle District Court Action No. 7645/87 by the payment to the Plaintiffs, Nick and Anna Lukicek, of \$60 721.30 inclusive of prejudgment interest, costs, and taxable disbursements.
- (b) That the Plaintiffs be required to provide The Corporation of the City of Hamilton with a full and final Release satisfactory to the City Solicitor and that the action be dismissed as against the City and its employee.

37. (a) That the City and Regional Administrative Committees be requested to strike a joint staff committee composed of employee representatives of the various strata of the organizations, including representation from the Purchasing Department to develop new policies and programs for the expanded use of products and services that contain the maximum level of post-consumer waste and/or recyclable content, without significantly affecting the intended use of the product or service.
- (b) That the joint staff committee report back to the Finance and Administration Committee with their recommendations.
38. That leave be granted to introduce the following Bills:
- (a) Bill G-35 A By-law Respecting Fireworks.
- (b) Bill G-37 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary  
1990 June 21  
/bc





Appendix "A" as referred to in  
Section 18 of the NINETEENTH Report  
of the Finance and Administration  
Committee for 1990.

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Raymond Baglione	Traffic Serviceman/ Woman II (A-3)	Traffic	Replacing Mr. D. Reid - promoted	\$22,717.76 to \$25,807.60	\$23,622.04 per annum (2 of 4)	14/05/90
Mr. Steve D. Berry	Probationary Fire Fighter (N/1)	Fire	Additional Staff approved in 1990 Budget	\$30,788.67	\$30,788.67 per annum (1 of 1)	04/06/90
Mr. Ernest Blundell	District Chief (C/11)	Fire	Replacing Mr. G. Smith - promoted	\$55,947.26	\$55,947.26 per annum (1 of 1)	06/05/90
Mr. Robert J. Brown	Equipment Repairman/ Woman (Recreation) (D-11)	Culture & Recreation	Additional Staff approved in 1990 Budget	\$29,163.68 to \$29,579.68	\$29,579.68 per annum (2 of 2)	07/05/90
Mr. Glen R. Burgoin	Grinder Operator (D-11)	Public Works	New position approved in 1989 Budget	\$29,163.68 to \$29,579.68	\$29,579.68 per annum (2 of 2)	30/04/90
Mr. Gerry F. Costello	Garage Attendant (D-7)	Public works	Replacing Mr. L. Perry - retired	\$28,306.72 to \$28,722.72	\$28,306.72 per annum (1 of 2)	24/04/90
Mr. Antonio DiFebo	Equipment Repairman/ Woman (Recreation) (D-11)	Culture & Recreation	Additional Staff approved in 1990 Budget	\$29,163.68 to \$29,579.68	\$29,579.68 per annum (2 of 2)	07/05/90

Prepared 13/06/90

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark T. Franco	Supervisor of Cashiers (M)	Treasury	Replacing Mr. J. Machida - transferred	\$36,125.44 to \$42,507.40	\$36,125.44 per annum (1 of 5)	12/02/90
Ms. Deborah Gagnon	Counter Clerk-Typist (E-2)	City Solicitor's	Replacing Ms. C. Eckenrath - retired	\$19,560.84 to \$21,073.00	\$20,341.88 per annum (2 of 3)	28/05/90
Ms. Marianne Gaunt	Lifeguard I (CH5)	Culture & Recreation	Replacing Ms. N. Hermiston - resigned	\$21,434.40 to \$23,179.52	\$21,434.40 per annum (1 of 3)	14/05/90
Ms. Kelly Goodwin	Lifeguard II (CH4)	Culture & Recreation	Replacing 2 part time positions	\$20,302.36 to \$21,910.20	\$20,302.36 per annum (1 of 3)	15/05/90
Mr. Bernhard Jaeckle	Probationary Fire Fighter (N/1)	Fire	Additional Staff approved in 1990 Budget	\$30,788.67	\$30,788.67 per annum (1 of 1)	04/06/90
Mr. Jean-Paul Lapointe	Grinder Operator (D-11)	Public Works	New Position approved in 1989 Budget	\$29,163.68 to \$29,579.68	\$29,579.68 per annum (2 of 2)	30/04/90
Mr. Scott McEwan	Motor Mechanic II (Non-Certified) (D-12)	Public Works	Replacing Mr. M. Axford - resigned	\$30,551.04 to \$30,967.04	\$30,967.04 per annum (2 of 2)	28/05/90

Prepared 13/06/90

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Richard Melanson	Rink Attendant I (D-9)	Culture & Recreation	Replacing Mr. R. Brown - promoted	\$28,649.92 to \$29,065.92	\$29,065.92 per annum (2 of 2)	21/05/90
Mr. Tim E. Mountain	Caretaker (B-2)	Property	Replacing Mr. B. Ortyl - retired	\$23,125.44 to \$24,945.96	\$23,125.44 per annum (1 of 2)	23/04/90
Mr. Bradley S. Phillips	Probationary Fire Fighter (N-1)	Fire	Additional Staff approved in 1990 Budget	\$30,788.67	\$30,788.67 per annum (1 of 1)	04/06/90
Mr. Robert F. Smith	Labourer/Truck Driver (D-7)	Public Works	Replacing Mr. K. Henderson - promoted	\$28,306.72 to \$28,722.72	\$28,722.72 per annum (1 of 2)	14/05/90
Mr. Lawrence E. Stasiuk	Landscape Architect (A-15)	Public Works	New Position approved in 1990 Budget	\$38,025.52 to \$43,511.52	\$42,362.84 per annum (5 of 6)	14/05/90
Mr. Edmund Switenky	Traffic Technologist (A-14)	Traffic	Additional Staff approved in 1989 Budget	\$34,893.04 to \$41,550.60	\$39,505.44 per annum (4 of 5)	30/04/90
Mr. Anthony Tozzi	Meter Serviceman I (A-4)	Traffic	Replacing Mr. A. Whiteman - retired	\$24,354.20 to \$27,451.32	\$27,451.32 per annum (5 of 5)	30/04/90

Prepared 13/06/90

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. David B. Walker	Handyman/Woman (M-10)	H.E.C.F.I.	Replacing Mr. A. Scime - resigned	\$30,611.36	\$30,611.36 per annum (1 of 1)	22/05/90
Mr. David B. Walker	Probationary Fire Fighter (N-1)	Fire	Additional Staff approved in 1990 Budget	\$30,788.67	\$30,788.67 per annum (1 of 1)	04/06/90
Ms. Margaret J. Walton	General Foreman/Woman (Beautification)(L-3)	Public works	Replacing Mr. R. Gladish - resigned	\$38,653.68 to \$45,517.16	\$38,653.68 per annum (1 of 5)	22/05/90
Mr. Scott L. Weaver	Horticulture Foreman III (13-C)	Public Works	Replacing Mr. B. Duckworth - transferred	\$31,010.72 to \$35,613.24	\$35,613.24 per annum (1 of 3)	21/05/90
Mr. Terry A. Westlake	Caretaker (B-2)	Property	Replacing Mr. R. Baglole - transferred	\$23,125.44 to \$24,945.96	\$23,125.44 per annum (1 of 2)	22/05/90
Mr. John Whitwell	Invoice Checking Clerk (E-3)	Treasury	Replacing Ms. T. Restivo - retired	\$20,854.08 to \$22,530.04	\$21,612.76 per annum (2 of 3)	14/05/90

Prepared 13/04/90



THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Michael Axford	Motor Mechanic II (Non-Certified)	Public Works	Resigned	5 years, 11 months	20/04/90
Mr. John Kornuta	Garbage Truck Driver	Public Works	Terminated	35 years	19/04/90
Mr. Lorne Perry	Garage Attendant	Public Works	Retired	23 years	06/05/90
Mr. Michael Roberts	Building Inspector	Building	Resigned	9 years, 1 month	11/05/90
Mr. Roy Schofield	Parking Meter Collections Clerk	Treasury	Retired	21 years, 1 month	25/05/90
Mr. Tony Scime	Handyman/Woman	H.E.C.F.I.	Resigned	4 years, 4 months	13/04/90
Mr. Peter Shwedyk	Labourer/Truck Driver	Public Works	Resigned	1 year, 10 months	06/04/90
Mr. Arthur Whiteman	Meter Serviceman I	Traffic	Retired	15 years, 5 months	30/04/90
Mr. Kenneth Withers	Garbage Truck Driver	Public Works	Retired	26 years, 10 months	30/04/90

Prepared 13/06/90



Contract Settlement between The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton)

The wages and related payments for regularly scheduled daytime hours for Journeymen Carpenters are as follows:

<u>Effective Date</u>	<u>Hourly Rate</u>	<u>Vacation Pay 4%</u>	<u>Holiday Pay 6%</u>	<u>Health and Welfare</u>	<u>Pension</u>	<u>S.U.B. Total</u>
May 1/90	\$24.04	\$2.40			\$2.60	\$29.04
May 1/91	\$25.40	\$2.54			\$2.60	\$30.54

Employer Contributions

Association Administration Fund - \$0.08  
Training & Upgrading - \$0.05 Employee, \$0.05 Employer

Employee Deductions

Union Administration Fund - \$0.05  
Carpenters Dues Trust Fund - \$0.35

Foreman Differential

May 1/90 - \$1.75  
May 1/91 - \$2.00

Lead Hand

May 1/90 - \$1.00  
May 1/91 - \$1.00

APPRENTICES

	<u>May 1/90</u>	<u>May 1/91</u>
1st six months - 40% of journeyman rate	\$ 9.62	\$10.16
2nd six months - 50% of journeyman rate	12.02	12.70
2nd year - 65% of journeyman rate	15.63	16.51
3rd year - 75% of journeyman rate	18.03	19.05
4th year - 85% of journeyman rate	20.43	21.59

Travel Expenses

Kilometers - May 1/90 - \$0.26      May 1/91 - \$0.28

Contract Settlement between The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton)

The wages and related payments for regularly scheduled daytime hours for Drywall Workers is as follows:

<u>Effective Date</u>	<u>Hourly Rate</u>	<u>Vacation Pay 4%</u>	<u>Holiday Pay 6%</u>	<u>Health and Welfare</u>	<u>Pension</u>	<u>S.U.B. Total</u>
May 1/90	\$24.04	\$2.40			\$2.60	\$29.04
May 1/91	\$25.40	\$2.54			\$2.60	\$30.54

Employer Contributions

Association Administration Fund - \$0.08

Training & Upgrading - \$0.05 Employee, \$0.05 Employer

Employee Deductions

Union Administration Fund - \$0.05

Carpenters Dues Trust Fund - \$0.35

Foreman Differential

May 1/90 - \$1.75

May 1/91 - \$2.00

Lead Hand

May 1/90 - \$1.00

May 1/91 - \$1.00

APPRENTICES

	<u>May 1/90</u>	<u>May 1/91</u>
1st 750 hours - 40% of journeyman rate	\$ 9.62	\$10.16
2nd 750 hours - 50% of journeyman rate	12.02	12.70
3rd 750 hours - 60% of journeyman rate	14.42	15.24
4th 750 hours - 70% of journeyman rate	16.83	17.78
5th 750 hours - 80% of journeyman rate	19.23	20.32
6th 750 hours - 90% of journeyman rate	21.64	22.86

Travel Expenses

Kilometers - May 1/90 - \$0.26      May 1/91 - \$0.28

Contract Settlement between The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton)

The wages and related payments for regularly scheduled daytime hours for Resilient Floor and Carpet Layers are as follows:

<u>Effective Date</u>	<u>Hourly Rate</u>	<u>Vacation Pay 4%</u>	<u>Holiday Pay 6%</u>	<u>Health and Welfare</u>	<u>Pension</u>	<u>S.U.B.</u>	<u>Total</u>
May 1/90	\$22.06	\$2.21			\$2.60		\$26.87
May 1/91	\$23.43	\$2.34			\$2.60		\$28.37

Employer Contributions

Association Administration Fund - \$0.08

Training & Upgrading - \$0.05 Employee, \$0.05 Employer

Employee Deductions

Union Administration Fund - \$0.05

Carpenters Dues Trust Fund - \$0.35

Foreman Differential

May 1/90 - \$1.75

May 1/91 - \$2.00

Lead Hand

May 1/90 - \$1.00

May 1/91 - \$1.00

APPRENTICES

	<u>May 1/90</u>	<u>May 1/91</u>
1st six months - 40% of journeyman rate	\$ 8.82	\$ 9.37
2nd six months - 50% of journeyman rate	11.03	11.72
2nd year - 65% of journeyman rate	14.34	15.23
3rd year - 75% of journeyman rate	16.55	17.57
4th year - 85% of journeyman rate	18.75	19.92





**THIS MEMORANDUM OF AGREEMENT MADE THIS 23rd DAY OF MAY, 1990**

**BETWEEN THE NEGOTIATING COMMITTEES OF:**

**THE CORPORATION OF THE CITY OF HAMILTON**

**AND**

**THE HAMILTON PROFESSIONAL FIRE FIGHTERS ASSOCIATION**

- I     The parties herein agree to the terms of this Memorandum of Agreement as constituting full settlement of all matters at issue between the parties.**
- II    The undersigned representatives of the parties agree to recommend, unanimously, acceptance of all the terms of this Memorandum to their respective principals.**
- III   The parties herein agree that the term of the Collective Agreement shall be January 1, 1990 to December 31, 1990.**
- IV    The parties agree that all provisions of the Collective Agreement covering the period January 1, 1989 to December 31, 1989 shall continue in effect as amended by the following provisions.**
- V     The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose appropriate officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.**

**The following are the amendments referred to in item V above:**

1. Article 4 - Hours of Employment

Delete Article 4.3 which reads as follows:

It is agreed and understood that the average number of hours worked per week as outlined under 4.1 (a) constitutes a forty (40) hour week and each and every employee covered by 4.1 (a) of this Agreement shall be required to work an average forty (40) hours per week.

2. Amend Article 5 - Overtime Compensation

(a) Amend Article 5.1 (a) as follows:

(a) Court time (see article 5.3)

(b) Add new Article 5.3 as follows:

An employee who is required to attend Court during off duty hours (as opposed to an extension of his/her regular scheduled hours as specified in Article 5.1) shall be paid at the rate of time and one-half (1/2) for such time in attendance with a four (4) hour minimum.

3. Amend Article 11 - Sick Leave, Pension, Group Medical, Dental & Hospitalization Plans & Group Life Insurance Plan By-Law 8223 as amended

11.1 (c) 11 (a)

Effective January 1, 1983, pension contributions paid by those members in the H.M.R.F. shall be adjusted to 6 1/2% of earnings up to the Y.M.P.E. as defined in the Canada Pension Plan and 8% of earnings above the Y.M.P.E. Such contributions shall be adjusted from time to time to reflect any changes that may occur in the O.M.E.R.S.' rates.

11.1 (c) 11 (b)

Effective January 1, 1990, all retired members of the H.M.R.F. will receive cost of living increases, in accordance with any such increases approved by the O.M.E.R.S. Board.

11.8 Increase vision care plan coverage to Two-hundred (\$200) dollars in any two consecutive calendar year effective upon ratification.

Add new Article 11.13 as follows:

The Employer will pay 100% of the cost for a deceased member's widow or widower and dependant children with the following coverage:

Blue Cross Extended Health  
Dental Plan

The exception to the foregoing are as follows:

- (a) Benefit coverage through another employer or
- (b) Benefit coverage through new spouse or
- (c) Widow/Widower attains the age of 65
- (d) Dependant children attain age 18
- (e) Dependant children attain age 25 if in attendance at school/university.

4. Article 25 Amend as follows:

Reflect a one (1) year agreement.

5. Schedule "A" amend as follows:

(a) New Classification

Amend Schedule "A" by creating a new classification C-10/A (mid-point between C-9/A and C-11/A) to include Divisional Chief of Administration; Communications Officer, and Supervisor of Vehicle and Equipment Repairs effective January 1, 1987.

(b) Salary Increase

Amend salaries effective January 1, 1990 by 5.0%.  
Amend salaries effective July 1, 1990 by 2.203%.

(c) Salary Adjustments

Salary schedule N-1/A to be 65% of C-5/A  
Salary schedule N-3/A to be 75% of C-5/A  
Salary schedule N-4/A to be 85% of C-5/A

These changes to be affective only to persons hired after date of ratification.

6. Schedule "B" Clothing amend as follows:

- (a) Add to Item 2 as follows:

NOTE: The members in the Fire Prevention Bureau may elect to be issued a bomber jacket in place of a rain coat.

- (b) Amend Item 6 as follows:

Each employee of the Fire Department required to wear safety shoes shall be given an allowance of Fifty (\$50) dollars per year for the purchase of such shoes under the following conditions:

- (a) the safety shoes purchased must meet the standards set by the Ontario Safety Council.

7. Schedule "H" Benefits - Coverage for Orthodontics amend as follows:

Increase maximum amount payable to Two Thousand and Five Hundred (\$2,500) dollars effective upon ratification.



ADD THE FOLLOWING LETTERS OF UNDERSTANDING:

LETTER OF UNDERSTANDING

The Employer agrees that 90 days after ratification to establish a joint Management/Association Committee to examine the concept of Sabbatical leave of absence and to make recommendations to both parties as to the feasibility of such leave and how it might be implemented.

LETTER OF UNDERSTANDING

The Employer and the Hamilton Professional Fire Fighters Association agree that 90 days after ratification a joint Management/Association Committee be set up to examine the issue of Physical Fitness.

LETTER OF UNDERSTANDING

The Employer and the Association agree to examine the issue of salary differential for officer ranks.

Signed in Hamilton this 29rd day of May, 1990

ON BEHALF OF THE UNION

*Neil Smith*  
*J. Henry Watson*  
*R. Brown*  
*Laurence J. Hest*  
\_\_\_\_\_  
\_\_\_\_\_

ON BEHALF OF THE EMPLOYER

*John H. Baker*  
*W. A. W. G. G. G.*  
*Annex Holmes*  
\_\_\_\_\_  
\_\_\_\_\_



## COMPREHENSIVE AUDIT

### CITY CLERK'S DEPARTMENT

#### LICENCE DIVISION

#### PURPOSE OF THE PROJECT

To examine through a Comprehensive Audit that the Licence Division of the City Clerk's Department is operating in accordance with the principles of good management in the public sector, namely:

that human, physical and financial resources are managed with due regard to economy, efficiency and effectiveness, and

that accountability relationships are satisfactorily served.

This comprehensive audit will examine management and financial controls, which includes information systems and reporting practices, and will make recommendations for any improvements.

This audit will evaluate the present operations of the Licence Division and will identify the means of improving the organizational structure, reporting relationships, operational procedures and cost effectiveness.

A legal review will be undertaken to determine whether or not the policies and procedures utilized by the Licence Division are in accordance with the statutory mandate and will, if deemed necessary, recommend alternative methods which could or should be utilized in the future.

The comprehensive audit and the results of a management plan will improve senior management's ability to plan and act strategically and will assist City Council in the decision making process.

#### SCOPE

The Licence Division of the City Clerk's Department requires the assistance and support of the Building, Fire, Health Inspection/Nursing, Police and Traffic Departments. The Licence Division also relies heavily on the services of the legal department which includes representing the City before the City of Hamilton Licensing Committee, drafting of legislation, representing the City in By-law Court protecting rights and providing legal opinions. These relationships referred to above should be examined taking into account the statutory requirements of the City of Hamilton Act, other Provincial Statutes, and the increasing importance of the role of licensing in Hamilton.

The study is to cover both the administrative and enforcement branches of the Division. This includes the inspection requirements and procedures carried out

by the Building, Fire, Health (Inspection and Nursing), Traffic and Police Departments, as they relate to the Licence Division.

The specific issues to be examined are:

- Administrative procedures, documentation, record keeping and financial monitoring within the Licence Division
- The need for clearly documented policies and procedures
- Organizational Structure, Staffing Complement, Training and Qualification
- Licence Inspection Programs in the Inspection Departments i.e. Building, Fire, Health, Traffic, Police and the Inter-relationship with the Licence Division
- The role and responsibility of the Licence Division as it relates to other responsibilities within the City Clerk's Department including:
  - Marriage Licence Processing
  - Smoking Control & Enforcement - Public Places & Workplace By-laws
  - LLBO Licensing
  - Fireworks Permits
  - Tag Days
  - Street Vendors Program
  - Mud Tracking Enforcement
  - Sales of By-laws & City Publications
  - City Tenders
  - Municipal Elections
  - Counter Services of the City Clerk's Department
  - Second Level Lodging Houses
- Licence Inspection Procedures within the Division
- The desired level of enforcement and the ability of the Licence Division to conform to the standard
- Adequacy of Licence fees in relation to the administration and enforcement requirements
- Role of the Legal Department in relation to providing advice to the Licensing Committee
- Role of the Legal Department representing the Licence Division as one of the parties to a hearing
- Role of the Committee Secretary to the City of Hamilton Licensing Committee and the relationship with the Licence Division
- The reporting relationship of the Licence Division Manager to Committee(s) of Council

- The City of Hamilton Act as it relates to the authority which empowers the Licensing Committee to issue, renew and transfer licences
- The City of Hamilton Act as it relates to the authority which empowers City Council to suspend, revoke or deny licences
- Membership and Composition of the Licensing Committee
- The role of the Licensing Committee respecting non-licence issues and its relationship to the Finance and Administration Committee and City Council
- The procedure for weekly approval and issuance of licences
- Any other issues identified throughout the auditing process.

1990 June 14





THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO LAY OUT AND ESTABLISH A PUBLIC WALKWAY FROM  
UPPER JAMES STREET TO ALLISON CRESCENT, PART 3, PLAN 62R-10569

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the walkway from Upper James Street to Allison Crescent by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public walkway from Upper James Street to Allison Crescent.
2. Schedule "A" attached hereto is included in and forms part of this By-law.
3. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public walkway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1989) 20 R.T.E.C. 28(f), December 12

SCHEDULE 'A'

Part of Lot 6, Concession 1  
in the former geographic Township of Glanford  
and part of Block "A", Registered Plan No. 1013  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
designated as Part 3 on Plan 62R-10569.

## BY-LAW NO. 90 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

(a) by deleting from **Section 15 (Two Hour Limit)** the following item, namely:-

"MacNab	East	Colbourne to Mulberry".
---------	------	-------------------------

(b) by adding thereto the following sub-section, namely:-

"19. Half Hour Limit, between the hours of 7 o'clock in the forenoon and 5 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
MacNab	East	Colbourne to Mulberry".

(c) by deleting from **Section 8 (Two Hour Limit)** the following item, namely:-

"East 19th	West	Fennell to 99 ft. north".
------------	------	---------------------------

2. **Schedule 25A (Parking Time Limits)** is hereby amended by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"Jackson	South	Poulette to west end".
----------	-------	------------------------

3. **Schedule 25B (Parking Time Limits)** is hereby amended by deleting from **Section 1 (Three Hour Limit)** the following item, namely:-

"Ray	East	Canada to Jackson".
------	------	---------------------

4. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Emerson	West	Holmes to Whitney
Ivon	West	Melvin to Britannia
Fennell	South	commencing at a point 52 feet east of High to a point 36 feet easterly therefrom
Dalewood	West	commencing at a point 27 feet south of Sterling to a point 100 feet southerly therefrom
Elkwood	North	West 5th to 91 feet west
Horning	North and West	commencing at a point 118 feet south of Lionsgate to a point 180 feet south westerly therefrom".

5. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Ivon Avenue	East	West".
Melvin Avenue to Britannia Avenue		

6. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following items, namely:-

"Grant	Both	North curb line of Alanson to the south end	Anytime
Grosvenor	West	commencing at a point 300 feet north of Dunsmure to a point 20 feet northerly therefrom	Anytime
Grosvenor	East	commencing at a point 298 feet north of Dunsmure to a point 20 feet northerly therefrom	Anytime
Picton	South	commencing at a point 113 feet west of Ferguson to a point 20 feet westerly therefrom	Anytime
Ray	East	Jackson to Canada	Anytime".

PASSED THIS DAY OF , A.D. 19 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## BY-LAW NO. 90 -

## TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Goldfinch	Northbound	Bobolink
West 25th	Northbound and Southbound	Leslie
Tudor	Southbound	Templemead
Broadway	Northbound and Southbound	Ward
Glendale	Northbound and Southbound	Primrose".

and by deleting therefrom the following items, namely:-

"Primrose	Eastbound and Westbound	Glendale
Ward	Eastbound and Westbound	Broadway".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"East 19th	West	Fennell to 111 feet north	Anytime
Kenora	West	commencing at a point 99 feet north of the north curb line of Janet to a point 104 feet northerly	Anytime
Kenora	West	commencing at a point 38 feet north of the north curb line of Village to a point 64 feet southerly therefrom	Anytime
Vansitmart	North	Division to 70 feet west	Anytime".

PASSED THIS                      DAY OF                      , A.D. 19   .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PART 4 AND PART OF PART 2, PLAN 62R-8380  
INTO DONN AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Donn Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Donn Avenue.

Part of Lot 24, Concession 2, in the geographic Township of Saltfleet, designated as Part 4 and the southerly sixty-nine point three eight nine metres (69.389m) on east and sixty-nine point four five nine metres on west of Part 2, all on Plan 62R-8380

City of Hamilton  
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PART 3 AND PART OF PARTS 1 & 2, PLAN 62R-8380  
INTO HIGHRIDGE AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Highridge Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Highridge Avenue.

Part of Lot 24, Concession 2, in the geographic Township of Saltfleet, designated as Parts 1,2 and 3 on Plan 62R-8380.

Save and Excepting part of said Lot 24, designated as the northerly twenty-five point three two two metres (25.322m) of part 1 on Plan 62R-8380.

Save and Excepting part of said Lot 24, designated as the southerly sixty-nine point three eight nine metres (69.389m) on east and sixty-nine point four five nine (69.459m) on west of Part 2 on Plan 62R-8380.

City of Hamilton  
Regional Municipality of Hamilton

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PART OF PART 1, PLAN 62R-8380  
INTO BOW VALLEY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Bow Valley Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Bow Valley Drive.

Part of Lot 24, Concession 2, in the geographic Township of Saltfleet, designated as the northerly twenty-five point three two two metres (25.322m) of Part 1 on Plan 62R-8380.

City of Hamilton  
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Authorize:

INCREASED COST FOR THE REPLACEMENT OF  
RINK SLAB AND BOARDS FOR THE MOUNTAIN ARENA PROJECT

WHEREAS the Ontario Municipal Board by Order dated the 12th day of January 1990, (File No. E 900021), approved,

- (a) the replacement of Rink Slab and Boards - Mountain Arena Project at an estimated cost of \$425,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$425,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 90-58, passed on the 13th day of March 1990, authorized proceeding with the replacement of Rink Slab and Boards for the Mountain Arena Project and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 12th day of January 1990;

AND WHEREAS the Ontario Municipal Board by Order dated the 2nd day of May 1990, (File No. E 900021) approved,

- (c) an additional expenditure of \$71,000.00 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of debentures, and
- (d) the issuance of additional debentures in the amount of \$71,000.00, by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS it is now intended to proceed with the replacement of Rink Slab and Boards for the Mountain Arena Project, in accordance with the total expenditure as approved by the Ontario Municipal Board, in accordance with the Order of the Ontario Municipal Board dated the 2nd day of May 1990.



NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the replacement of Rink Slab and Boards for the Mountain Arena Project may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 2nd day of May 1990.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 5 R.P.R.C. 16, March 27

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED NORTH OF RYMAL ROAD EAST,  
BETWEEN UPPER SHERMAN AVENUE AND UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 85, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 90-41, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-27D and E-27E of the District Maps, appended to and forming part of By-law No. 6593, are amended,
  - (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Blocks 1 and 2; and
  - (b) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 3; and
  - (c) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Blocks 4, 5, 6 and 7; and
  - (d) by changing from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, the lands comprised in Blocks 8, 9 and 10; and
  - (e) by changing from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District, the land comprised in Blocks 11, 12 and 13; and
  - (f) by changing from "AA" (Agricultural) District to "G-1" (Designed Shopping Centre) District, the land comprised in Block 14,

the extent and boundaries of each of which Blocks 1 to 14, inclusive are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1(c) are amended to the extent only of the special requirement that,

- (a) notwithstanding section 10E(2)(a) of By-law No. 6593 the following Residential Use shall be prohibited:

3. A Street Townhouse Dwelling, subject to the "RT-30" District provisions of section 10F.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1156.

5. Sheets No. E-27D and E-27E of the District Maps are amended by marking the lands referred to in section 2 of this by-law, S-1156.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

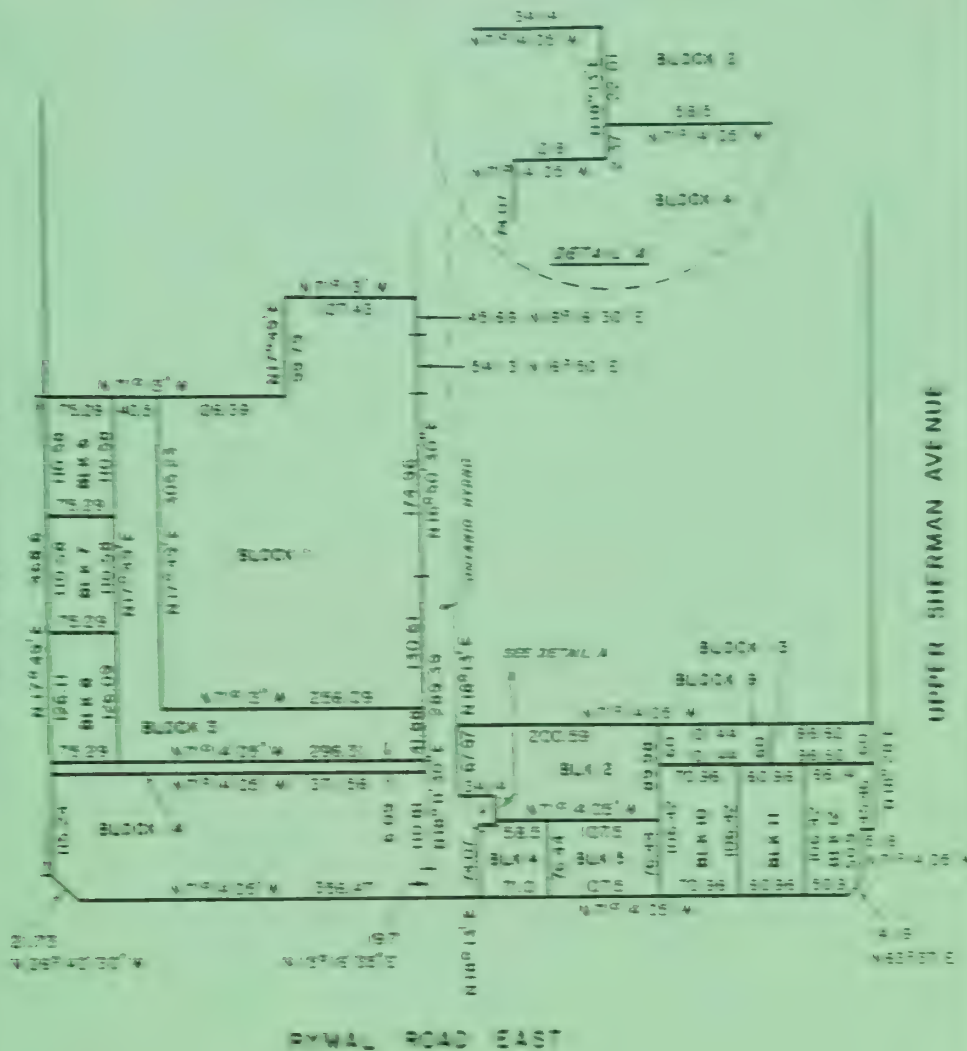
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

UPPER WENTWORTH STREET

UPPER SHERMAN AVENUE



THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

North	Scale	Reference File No.
North	NOT TO SCALE	2A 89-42
Date	Drawn By	
MAY 24, 1990	Z.K.	

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 90-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton - Wentworth  
Planning and Development Department

Legend

Change in zoning from "AA" (Agricultural District) to:

- BLOCKS 1&2 "C" Urban Protected Residential District.
- BLOCK 3 "S-4" Small Lots Single-Family Detached District.
- BLOCKS 4,5,6,7 "C1-2" Townhouse-Mascherley District, Woodilee.
- BLOCKS 8,9,10 "DE-2" Multiple Dwellings District.
- BLOCKS 11,12,13 "S-2" Multiple Dwellings District.
- BLOCK 14 "G-1" Designated Shopping Centre District.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 70 AND 80 LANCING DRIVE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) District provisions, as contained in Section 17F of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (a) notwithstanding Section 17F(1)(b) of By-law No. 6593, the following additional Commercial Use shall be permitted:

<u>S.I.C.</u>	<u>Commercial Use</u>
<u>Identification</u>	
5611	Iron and Steel Primary Forms and Structural Shapes, Wholesale

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-14" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1174.

4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1174.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

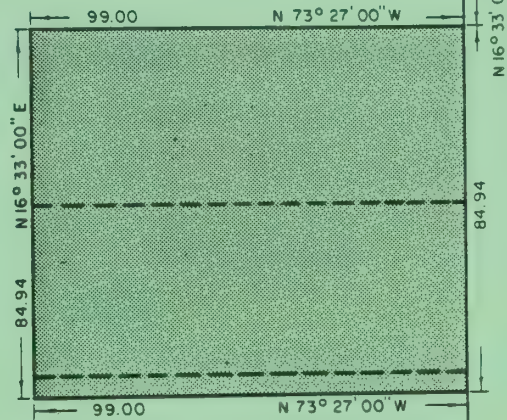
City Clerk

Mayor

(1990) 9 R.P.D.C. 13, April 24  
Juan Puig, Owner  
ZA-90-02



UNSWORTH DRIVE



LANCING DRIVE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....  
Passed the ..... day of ....., 1990.

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



Lands to be regulated by  
By-Law No. 90-

North



Scale  
NOT TO SCALE

Date  
APRIL, 1990

Reference File No.  
ZA 90 - 02

Drawn By  
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1574 UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-mr-1" (Planned Development - Multiple Residential) District to "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 1, and
- (b) by changing from "L-mr-1" (Planned Development - Multiple Residential) District to "L-r" (Planned Development - Low Density Residential) District to "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the land referred to in section 1(b) are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10D(7)(a) of By-law No. 6593, a townhouse dwelling having not more than 3 single-family dwelling units shall be permitted;
- (b) notwithstanding Section 10D(7)(b) of By-law No. 6593, a lot width of not less than 20.20 m shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1173.

5. Sheet No. E-38D of the District Maps is amended by marking the lands referred to in section 1(b) of this by-law, S-1173.

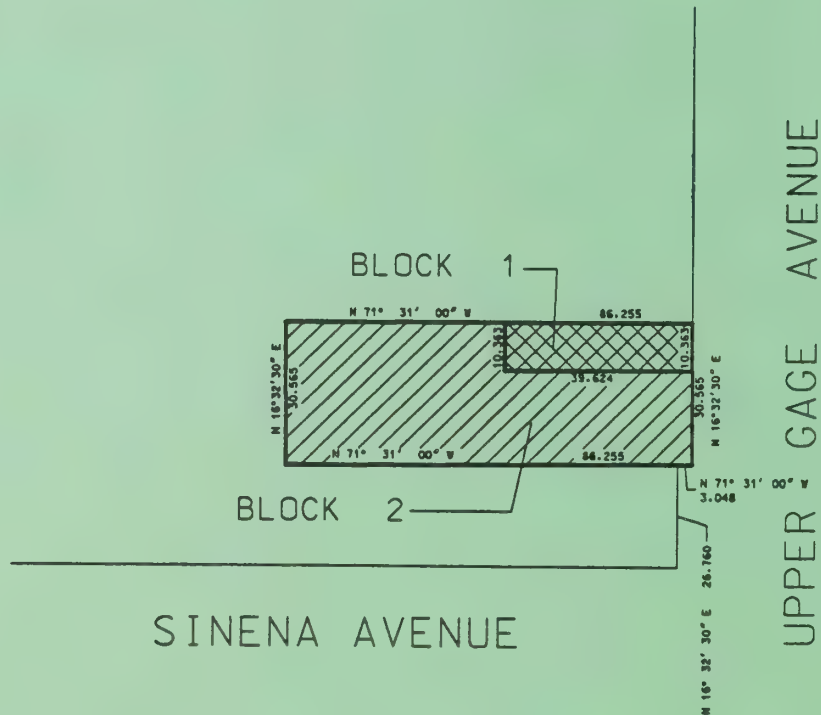
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 9 R.P.D.C. 11, April 24  
Alena Miller, Owner  
ZA-90-12



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-  
Passed the----- day of -----, 1990.

-----  
Clerk

-----  
Mayor

**City of Hamilton**  
**Schedule A**  
Map Forming Part of  
By-Law No. 90-  
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department



Legend  
Change in zoning from:

"L-m-r" (Planned Development-Multiple Residential)  
District, modified to "C" (Urban Protected  
Residential, etc.) District.

"L-m-r" (Planned Development-Multiple Residential) District,  
modified to "D" (Urban Protected Residential-One and Two  
Family Dwellings, Townhouses, etc.) District, modified.

North

Scale  
**NOT TO SCALE**

Reference File No.  
**ZA-90-12**

Date  
**MAY 1990**

Drawn By  
**T.A.**

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT  
THE REAR OF MUNICIPAL NO. 1490 UPPER GAGE AVENUE**

**WHEREAS** it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

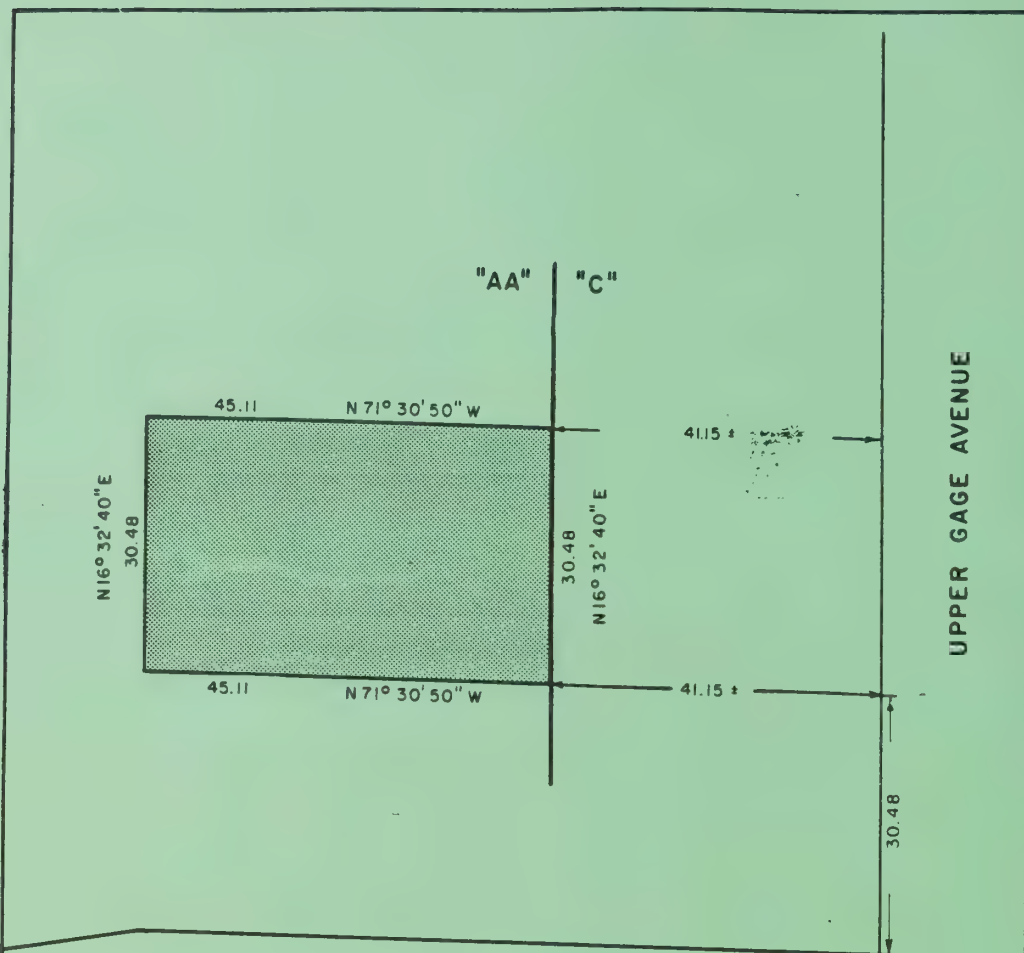
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 9 R.P.D.C. 10, April 24  
Daniel Stuart Alvey,  
Agent for the Owner  
ZA-89-114





ROYAL VISTA DRIVE

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_ DAY OF \_\_\_\_ 1990

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

### CITY OF HAMILTON

SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 90-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### LEGEND

 CHANGE IN ZONING FROM "AA" (AGRI-CULTURAL) DISTRICT TO "R-4" (SMALL LOT SINGLE - FAMILY DETACHED) DISTRICT.

North



Scale  
NOT TO SCALE

Date  
APRIL 23, 1990

Reference File No.  
ZA 89-114

Drawn By  
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

~~LANDS LOCATED AT~~

MUNICIPAL NOS. 1610, 1614, 1620 AND 1626 UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

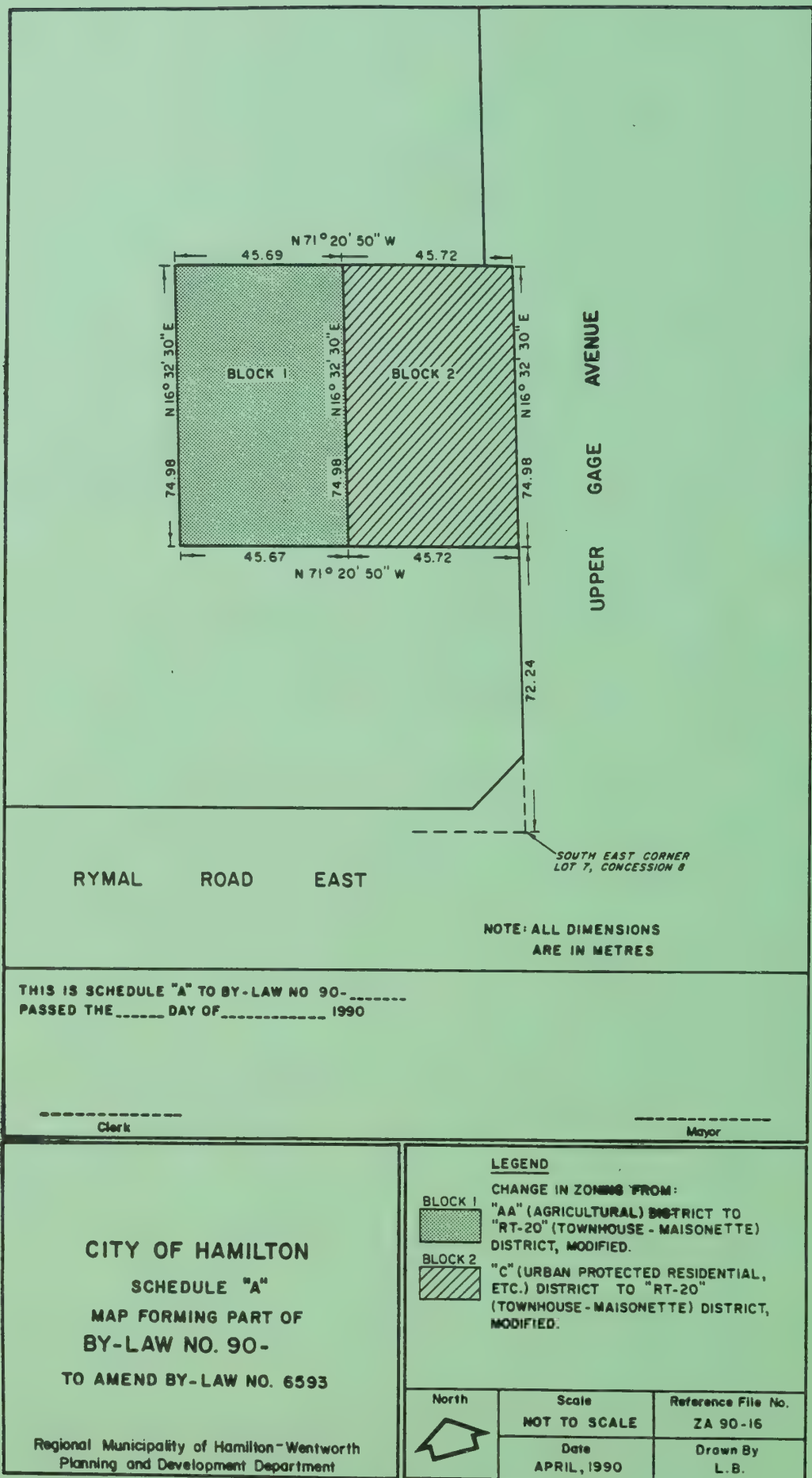
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this            day of            A.D. 1990.

City Clerk

Mayor

(1990) 9 R.P.D.C. 12, April 24  
H.C. Harnden and H.A. Anderson, Owners  
2A-90-16



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED EAST OF UPPER WELLINGTON STREET,  
SOUTH OF THE PROPOSED MOUNTAIN FREEWAY

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District, the land comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

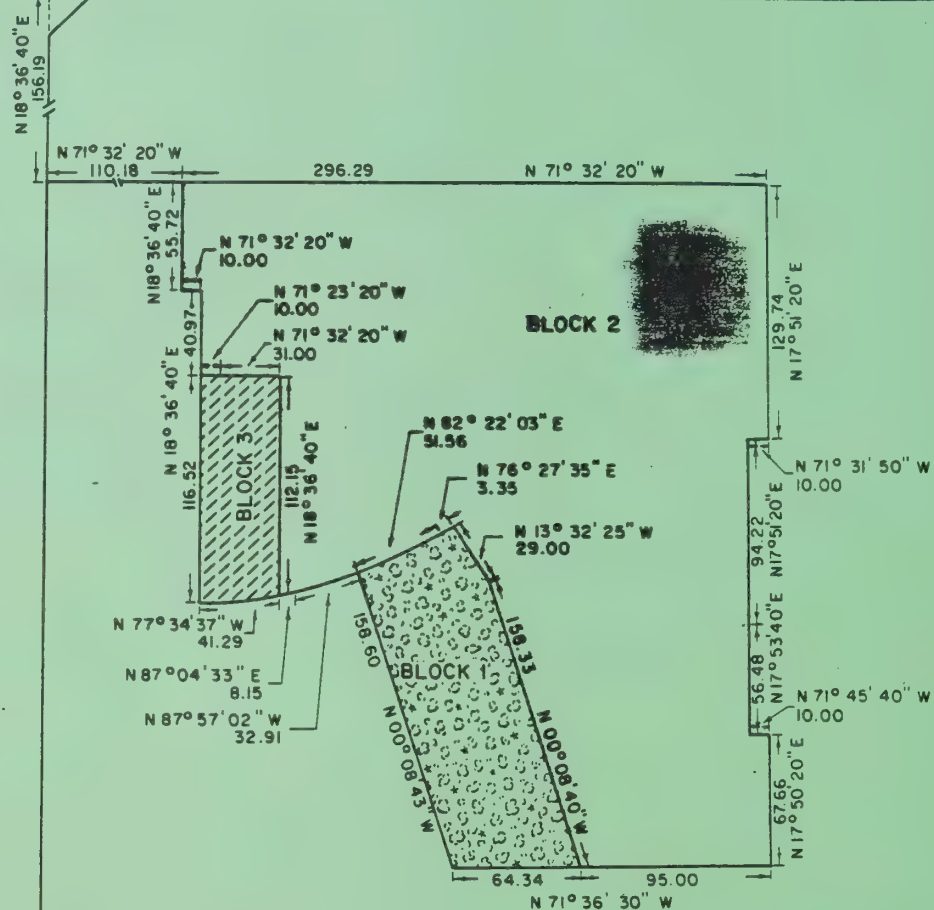
Mayor

(1990) 8 R.P.D.C. 20, April 10  
Marvin Wasserman, Owner  
ZA-89-98



## UPPER WELLINGTON STREET

NORTH WEST CORNER  
OF LOT 12 - CON. 7



This is Schedule "A" to By-Law No. 90-.....  
Passed the ..... day of ....., 1990.

## Clark

**Mayor**

## Schedule A

Map Forming Part of  
By-Law No. 90-.....

**to Amend By-Law No. 6593**

**Regional Municipality of Hamilton-Wentworth  
Planning and Development Department**

### Legend

Change in zoning from "AA" (Agricultural) District to:

**BLOCK 1**

**"A" (Conservation, Open Space, Park and Recreation) District.**

**BLOCK 2**

**"C" (Urban Protected Residential, etc.) District.**

**BLOCK 3**

**"R-4" (Small Lot Single - Family Detached)  
District.**

## North



Scale  
NOT TO SCALE

Reference File No.  
ZA 89 - 98

Date  
May, 1990

Drawn By  
L.B.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED EAST OF UPPER WELLINGTON STREET,  
SOUTH OF THE PROPOSED MOUNTAIN FREEWAY**

**WHEREAS** it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 4; and
- (b) by changing from "AA" (Agricultural) District to "RT-30" (Street Townhouse) District, the land comprised in Block 5,

the extent and boundaries of each of which Blocks 4 and 5 are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the land referred to in section 1(a) are amended to the extent only of the special requirement that,

- (a) Section 10E(2)(a)3. of By-law No. 6593 shall be prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1172.

5. Sheet No. E-18B of the District Maps is amended by marking the lands referred to in section 1(a) of this by-law, S-1172.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

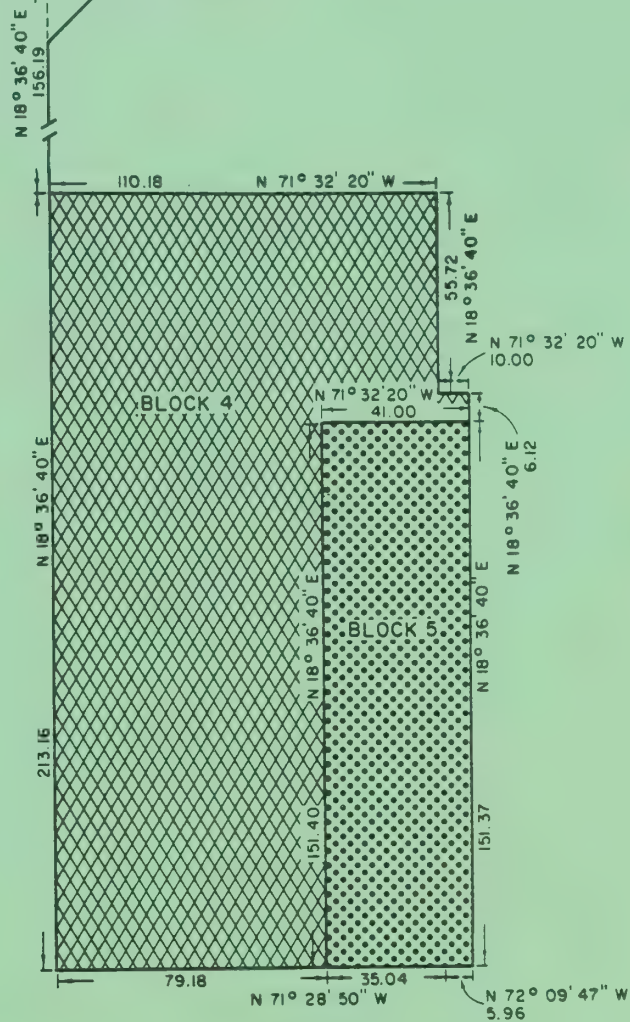
Mayor

(1990) 8 R.P.D.C. 22, April 10  
Marvin Wasserman, Owner  
ZA-89-132

# LIMERIDGE ROAD EAST

NORTH WEST CORNER  
OF LOT 12 - CON. 7

UPPER WELLINGTON STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....  
Passed the ..... day of ....., 1990.

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

Change in zoning from:



"AA" (Agricultural) District to "RT-20"  
(Townhouse - Maisonette) District, modified.



"AA" (Agricultural) District to "RT-30"  
(Street - Townhouse) District.



Scale  
NOT TO SCALE

Reference File No.  
ZA 89-132

Date  
MAY, 1990

Drawn By  
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED EAST OF UPPER WELLINGTON STREET,  
SOUTH OF THE PROPOSED MOUNTAIN FREEWAY**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,
  - (a) by changing from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District, the land comprised in Block 6;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

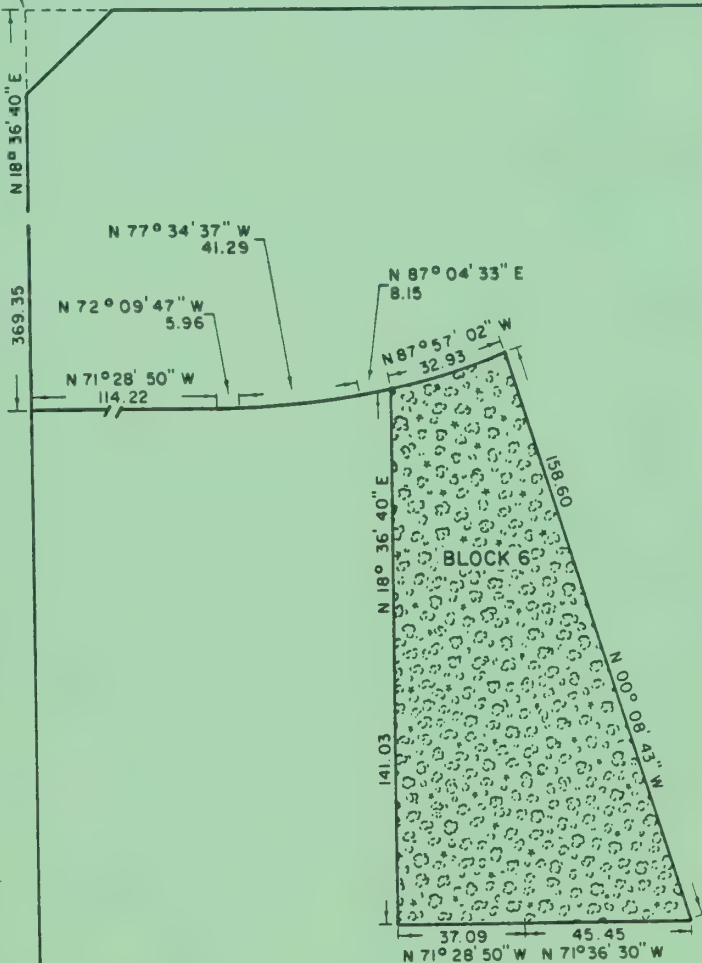
Mayor

(1990) 8 R.P.D.C. 21(B), April 10  
Marvin Wasserman, Owner  
ZA-89-131

NORTH WEST CORNER  
OF LOT 12 - CON. 7

# LIMERIDGE ROAD EAST

UPPER WELLINGTON STREET



This is Schedule "A" to By-Law No. 90-.....  
Passed the ..... day of ....., 1990.

Clerk

Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

BLOCK 6

Change in zoning from "AA" (Agricultural)  
District to "A" (Conservation, Open Space,  
Park and Recreation) District.

North



Scale  
NOT TO SCALE

Date  
MAY, 1990

Reference File No.  
ZA 89-131

Drawn By  
L.B.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Adopt:

Official Plan Amendment No. 91

Respecting:

A PORTION OF THE LANDS KNOWN MUNICIPALLY AS 1441 UPPER JAMES STREET,  
WITHIN THE RYCKMANS NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton  
enacts as follows:

1. Amendment No. 91 to the Official Plan of the Hamilton  
Planning Area consisting of Schedule 1, hereto annexed and forming  
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval  
of the Official Plan Amendment referred to in section 1 above, as  
may be requisite, be obtained and for the doing of all things for  
the purpose thereof.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 11 R.P.D.C. 14(a), May 29  
Carriage Gate Homes Ltd., Owner  
ZA-89-104

## **AMENDMENT NO. 91**

### **TO THE**

### **CITY OF HAMILTON OFFICIAL PLAN**

The following text, together with Schedules "A" and "B", attached hereto, constitutes Official Plan Amendment No. 91.

#### **PURPOSE**

The purpose of this Amendment is to redesignate the subject lands from "Residential" to "Commercial" and to extend "Special Policy Area 31b" , to include the subject lands.

#### **LOCATION**

The subject lands consist of a portion of the lands known municipally as 1441 Upper James Street, within the Ryckmans Neighbourhood.

#### **BASIS**

The proposal is to extend the depth of the "Commercial" designation to accommodate a retail commercial establishment. The proposal can be permitted on the following basis:

- it would be compatible with future intended residential and commercial development in the surrounding area;
- it will allow for comprehensive development of the subject lands and adjoining lands for their intended use;
- it has frontage on a major arterial road;
- the Upper James Street frontage is recognized by the Official Plan as a highway-oriented commercial area; and,
- it is readily accessible to public transit along Upper James Street.

Further to the above, the proposed commercial establishment is subject to Special Design Guidelines applicable to the Upper James Street frontage (Urban Design Guidelines - Upper James Street Corridor). As such, the following design aspects will be incorporated into the development: increased front yard setback; landscaping adjacent to the Upper James Street road allowance; a front service road; and a landscaped strip to the rear of the commercial establishment.

**ACTUAL CHANGES**

1. Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.
2. Schedule "B" - Special Policy Areas of the Official Plan be revised by extending the boundary of "Special Policy Area 31b" to include the subject lands, as shown on the attached Schedule "B" of this Amendment.

**IMPLEMENTATION**

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule 1 to By-law No. 90-\_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 1990.

The Corporation of the  
City of Hamilton

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

CL-M/ns/s

A:\OPAFORM



**schedule A**  
**amendment no. 91**  
 to the  
**official plan**  
 for the  
**city of hamilton**

legend area to be changed from "Residential" to "Commercial"		date May, 1990	drawn by J.G.	reference file no. 8-2-91
--------------------------------------------------------------------	--	-------------------	------------------	------------------------------

Lake Ontario

DEFERRED NO D-6  
 UNDER SECTION 14(3) OF  
 THE PLANNING ACT



**land use concept**

**legend**

- Residential
- Commercial
- Industrial
- Light Space
- Light Water
- Major Institutional
- Utilities
- Central Public Area
- Special Public Area
- Independent Urban
- Port Numbers
- Sub-Regional Centre

**schedule A**  
 to the official plan  
 for  
 the city of hamilton  
 MAY 12, 1990



# **schedule B** **amendment no. 91**

to the  
official plan  
for the  
city of hamilton

date May, 1990	drawn by J.G.	reference file no. 6-2-91
<p>LEGEND</p> <p>Extend the boundary of "Special Policy Area 31b"</p>		



## **special policy areas**

AREA	REFER TO SUBSECTION
1(a)	A29.1
1(b)	A29.1
2	A29.2
3	A29.3

## **REFER TO POLICY**

AREA	REFER TO POLICY
3	A29.3.1
4	A29.3.2
5	A29.3.3
6	A29.3.4
7	A29.3.5
8	A29.3.6
9	A29.3.7
10	A29.3.8
11	A29.3.9
16	A29.3.14
17	A29.3.15
18	A29.3.16
19	A29.3.17
20	A29.3.18
26	A29.3.21
27	A29.3.22
29	A29.3.24
30	A29.3.25
31	A29.3.26
31(a)	A29.3.26
31(b)	A29.3.26
31(c)	A29.3.26
32	A29.3.27
33	A29.3.28
34	A29.3.28
35	A29.3.30
36	A29.3.31
37	A29.3.32
38	A29.3.33
40	A29.3.35
41	A29.3.36
42	A29.3.37
43	A29.3.38
46	A29.3.41

Refer to Schedule B - 1 for Special  
Policy Areas in the Downtown

## **schedule B**

to the official plan  
for  
the city of hamilton



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED WEST OF NASH ROAD, NORTH OF THE C.N.R.

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

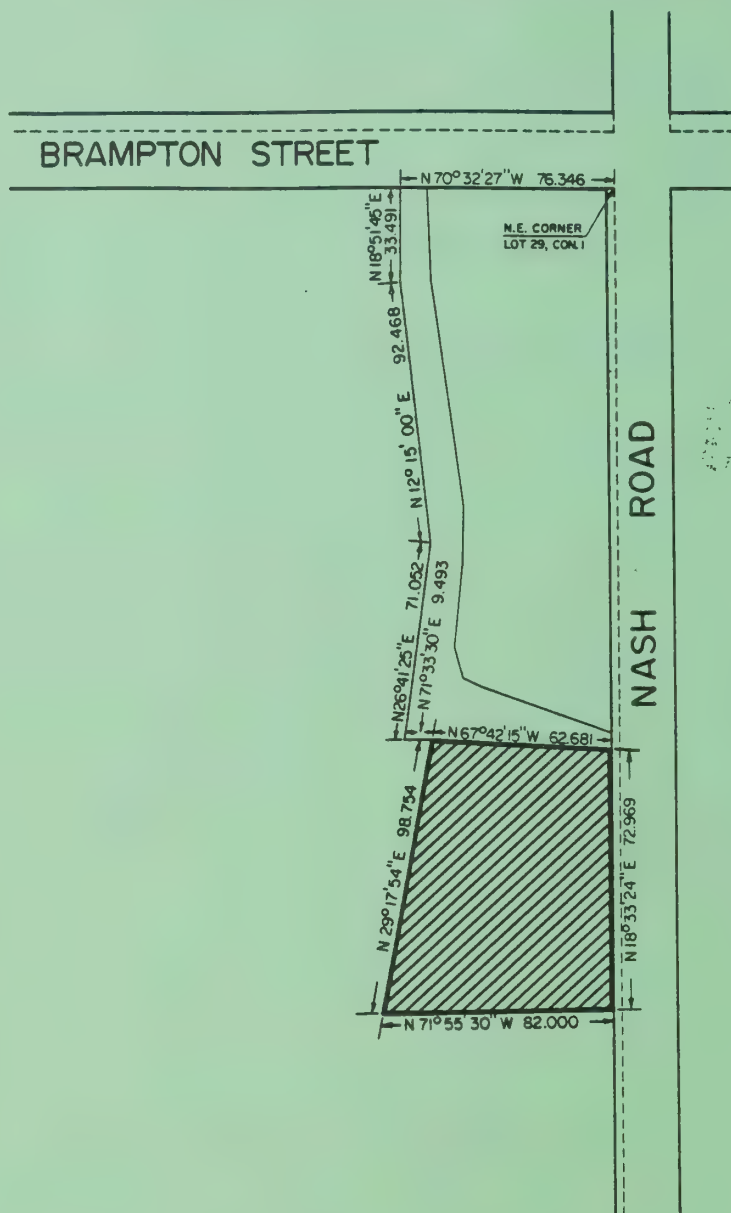
126. Lands located west of Nash Road, north of the C.N.R., shown on Appendix 126 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 126.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule A to By-Law No. 90- .....  
 Passed the ..... day of ..... , 1990.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

**Appendix 126**  
 to By-Law No.79-275

as Amended by  
 By-Law No.87-223

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend



Lands Designated Under this By-Law  
 as an area of Site Plan Control pursuant  
 to Section 40 of the Planning Act.

North



Scale  
 NOT TO SCALE

Reference File No.  
 P6-5

Date  
 JUNE, 1990

Drawn By  
 AJL

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

As Amended By By-law No. 89-320

Respecting:

LAND LOCATED AT MUNICIPAL NO. 41 RYMAL ROAD WEST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 89-320 on the 14th day of November 1989 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the land located at Municipal No. 41 Rymal Road West, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 14 of the 8th Report of the Planning and Development Committee at its meeting held on the 10th day of April 1990, directed that By-law No. 89-320 be amended to modify a special requirement under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 2(a) of By-law No. 89-320 is amended by deleting clause 1. and substituting in lieu thereof the following:

1. A coin-operated, manual car wash consisting of not more than eight (8) bays.

(2) In all other respects, By-law No. 89-320 is hereby confirmed, unchanged.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirement referred to in section 1 of this by-law and section 1 of By-law No. 89-320.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1129a.

4. Sheets No. W-9D and W-9E of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1129a.

5. Schedule "A" hereto annexed is included in and forms part of this by-law.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 8 R.P.D.C. 14, April 10  
Ashok Kumar, Owner  
ZA-90-03




-----  
Clerk

Mayor

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**LEGEND**

LANDS TO BE REGULATED  
BY BY-LAW NO. 90-

	Scale <b>NOT TO SCALE</b>	Reference File No. <b>ZA 90-03</b>
	Date <b>APRIL 10, 1990</b>	Drawn By <b>Z. K.</b>



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-law No. 81-187

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1035 MAIN STREET EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 81-187 on the 23rd day of June 1981 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, in respect of the land located in the Crown Point West Neighbourhood, the extent and boundaries of which are shown on a plan thereto annexed as Schedule A5, which by-law was approved by the Ontario Municipal Board by Order dated the 24th day of November 1982;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 15 of the 5th Report of the Planning and Development Committee at its meeting held on the 27th day of February 1990 recommended that Zoning By-law No. 6593, as amended by By-law No. 81-187, be further amended to establish additional special requirements under Section 19B of Zoning By-law No. 6593 in respect to the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11A of Zoning By-law No. 6593, as amended by By-law No. 81-187, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 11A(1)(iii) of By-law No. 6593, a gift shop shall also be permitted;

- (b) notwithstanding Section 19(iii) of By-law No. 6593, the dwelling unit occupying the first floor of the existing building shall have a floor area of not less than 45 m<sup>2</sup>;
- (c) notwithstanding Section 18A(7) of By-law No. 6593, each required parking space shall have a width of not less than 2.6 m.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirements referred to in section 1 of this by-law and in section 5 of By-law No. 81-187.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-746a.

4. Sheet No. E-44 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-746a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

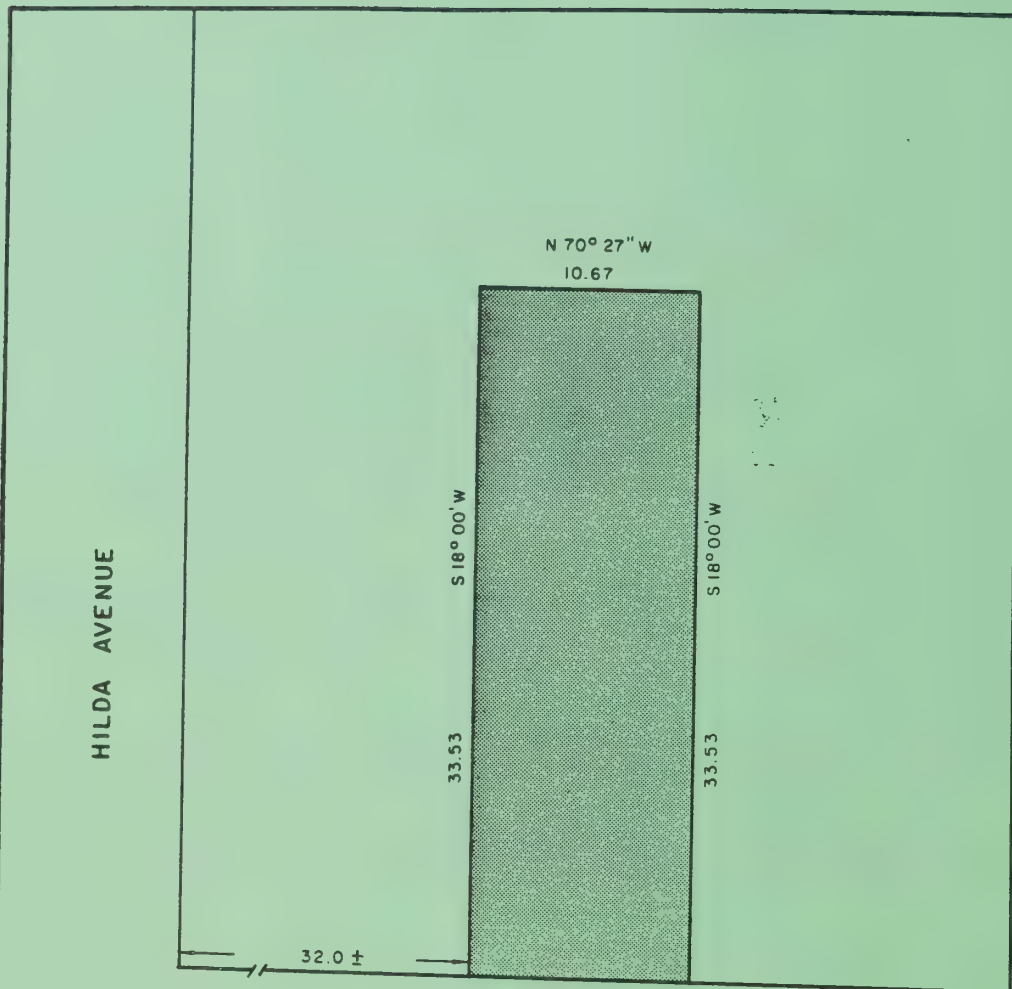
day of

A.D. 1990.

City Clerk

Mayor

(1990) 5 R.P.D.C. 15, February 27  
Gerald and Alice Mulligan, Owners  
and Ann Kowalchuk, Lessee  
Amended ZA-89-121



MAIN STREET EAST

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1990

Clerk


Mayor

CITY OF HAMILTON  
SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 90-  
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

LEGEND

 LANDS TO BE REGULATED  
BY BY-LAW NO. 90-

North 	Scale NOT TO SCALE	Reference File No. ZA 89-121
	Date FEB. 28, 1990	Drawn By Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-law No. 81-187

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1039 MAIN STREET EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 81-187 on the 23rd day of June 1981 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, in respect of the land located in the Crown Point West Neighbourhood the extent and boundaries of which are shown on plan thereto annexed as Schedule A5, which by-law was approved by the Ontario Municipal Board by Order dated the 24th day of November 1982;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 7 of the 7th Report of the Planning and Development Committee at its meeting held on the 27th day of March 1990 recommended that Zoning By-law No. 6593, as amended by By-law No. 81-187, be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect to the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11A of Zoning By-law No. 6593, as amended by By-law No. 81-187, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements that,

- (a) notwithstanding Sections 11A(1), 11A(3), 11A(5) and 11A(6) of By-law No. 6593, enclosure of the existing roofed-over side and front porch of the existing building shall be permitted for use as a home improvement business office;



- (b) notwithstanding Section 11A(1)(iv) of By-law No. 6593, one ground sign, wall sign or projecting sign having an area of not more than 3.0 m<sup>2</sup> non illuminated or illuminated by non-flashing indirect or interior means only, located not less than 1.5 m from the nearest street line in connection with the commercial use shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirements referred to in section 1 of this by-law and in section 5 of By-law No. 81-187.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-746b.

4. Sheet No. E-44 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-746b.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

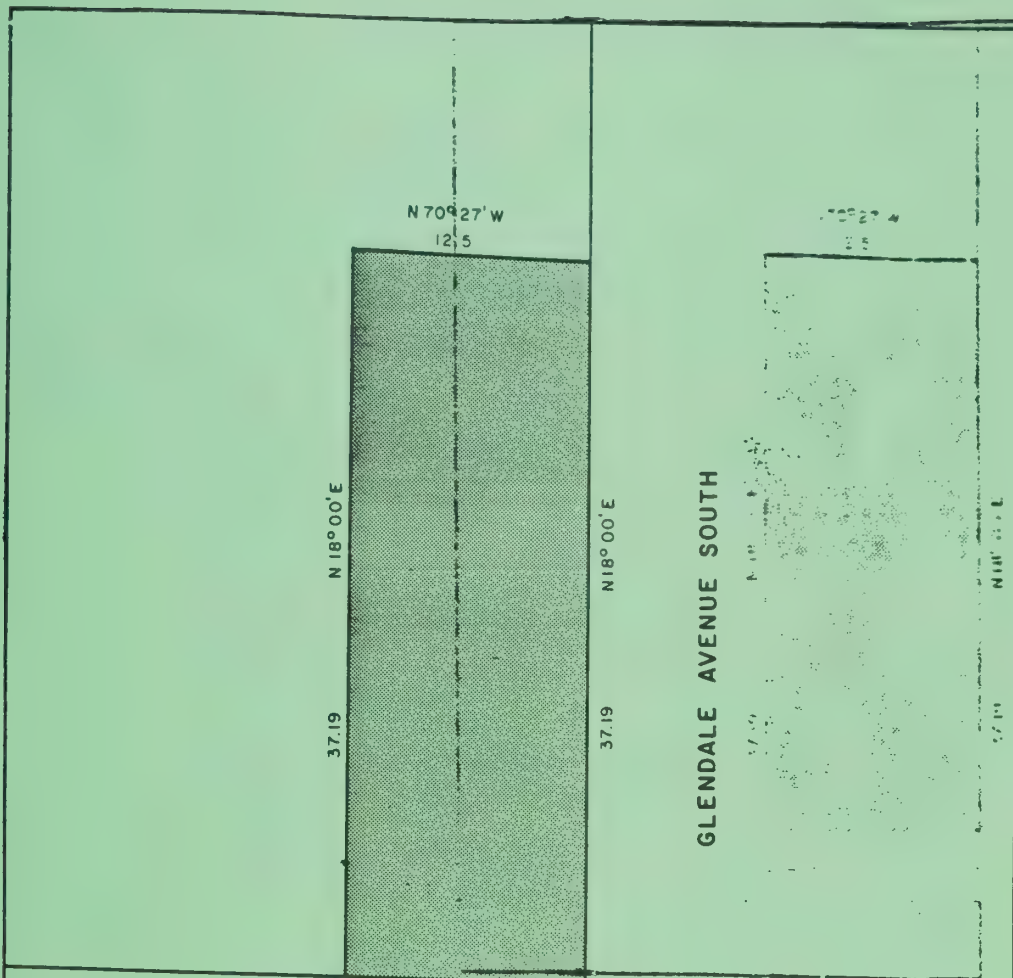
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 7 R.P.D.C. 7, March 27  
Serge Gelly, Owner  
ZA-90-04





MAIN STREET EAST

MAIN STREET EAST

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1990

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1990

Clerk

Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A"**  
**MAP FORMING PART OF**  
**BY-LAW NO. 90-**  
**TO AMEND BY-LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**LEGEND**



LANDS TO BE REGULATED  
BY BY-LAW NO. 90-

North



Scale

NOT TO SCALE

Reference File No.

ZA 90-04

Date

MARCH 29, 1990

Drawn By

Z:K

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE REAR OF MUNICIPAL NOS. 564, 570, 574,  
580, 586, 590 AND 596 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

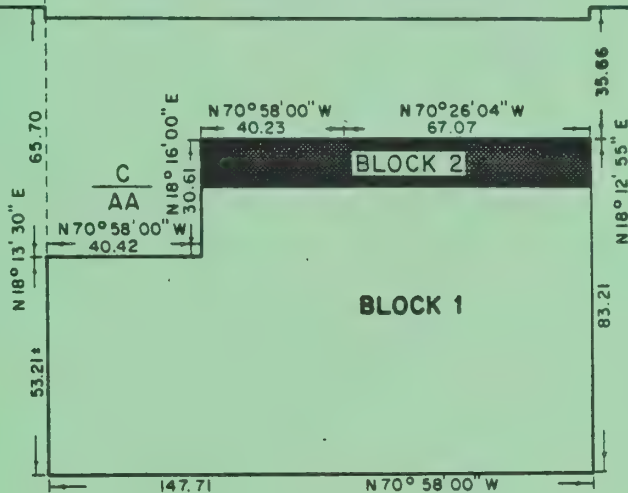
PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

NORTH EAST CORNER OF LOT 9 - CON. 8 N 71° 00' 05" W 21.34 s

STONE CHURCH ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....  
Passed the ..... day of ....., 1990.

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

Change in zoning from:

**BLOCK 1**

"AA" (Agricultural) District to "R-4" (Small Lot Single - Family Detached) District.

**BLOCK 2**

"C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single - Family Detached) District.

North



Scale  
NOT TO SCALE

Date  
MAY, 1990

Reference File No.  
ZA 89-130

Drawn By  
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 63 AND 67 MALTON DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

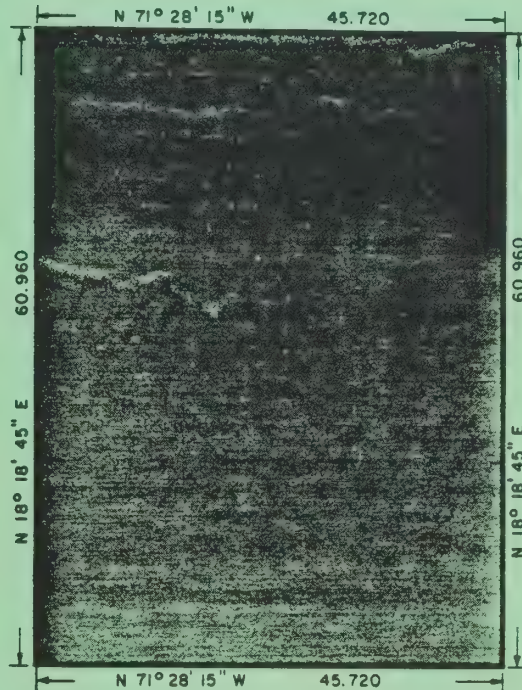
City Clerk

Mayor



# MALTON DRIVE

# CHRISTIE STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....  
Passed the ..... day of ....., 1990.

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

Change in zoning from:



"B" (Suburban Agriculture and  
Residential, etc.) District to "C"  
(Urban Protected Residential, etc.)  
District

North 	Scale NOT TO SCALE	Reference File No. ZA89-125
	Date JUNE 1990	Drawn By AJL



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED EAST AND ADJACENT TO  
MUNICIPAL NO. 1686 MAIN STREET WEST

WHEREAS The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 13 of the 23rd Report of the Planning and Development Committee at its meeting held on the 10th day of October 1989, directed that Zoning By-law No. 6593 be further amended to establish additional requirements under Section 19B of Zoning By-law No. 6593 in respect of the land located east of and adjacent to Municipal No. 1686 Main Street West, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "A" (Conservation, Open Space, Park and Recreation) District provisions, as contained in Section 7 of Zoning By-law No. 6593, applicable to the land comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 7(1) of By-law No. 6593, the parking of motor vehicles shall be permitted, only in conjunction with the Canadian Institute for the Blind located on adjoining lands to the west at No. 1686 Main Street West;
- (b) Sections 18A(11) and 18A(12) of By-law No. 6593 shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "A" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-395b.

4. Sheets No. W-46 and W-50 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-395b.

5. Schedule "A" hereto annexed is included in and forms part of this by-law.

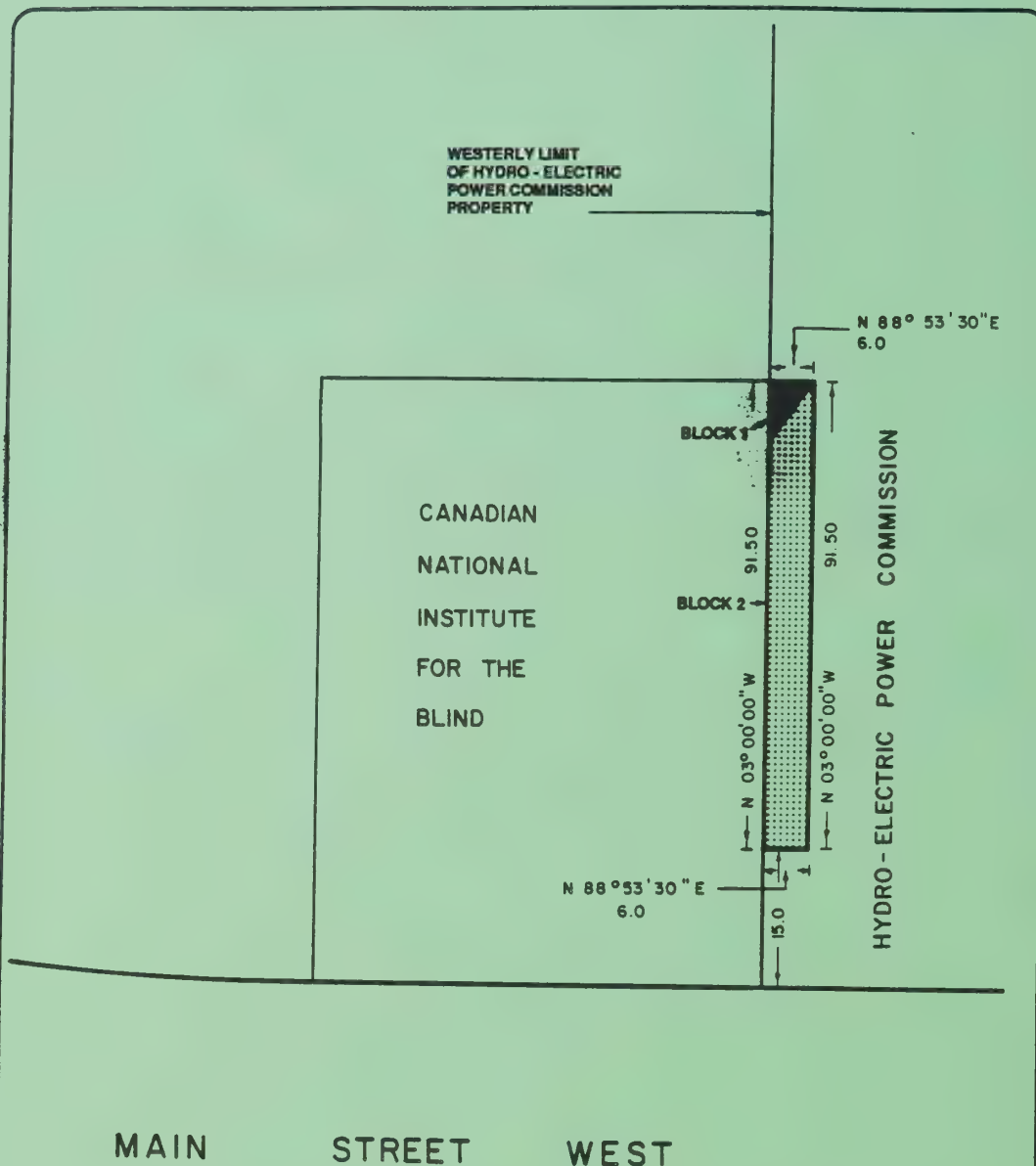
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1989) 23 R.P.D.C. 13, October 10  
Canadian National Institute for the Blind, Lessee  
ZA-89-29



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. ....  
Passed the ..... day of ....., 19 .....

.....  
Clerk

.....  
Mayor

City of Hamilton

Schedule A

Map Forming Part of  
By-Law No. ....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

BLOCK 1



BLOCK 2



Legend

Lands to be regulated by  
By-Law No. ....

North



Scale  
NOT TO SCALE

Date  
OCTOBER, 1989

Reference File No.  
ZA89 - 29

Drawn By  
T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-law No. 88-241

Respecting:

LANDS LOCATED AT THE NORTH-WEST CORNER OF RYMAL ROAD EAST  
AND UPPER WENTWORTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 88-241 on the 11th day of October 1988 to establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "G-1" District, in respect of the lands located at the north-west corner of Rymal Road East and Upper Wentworth Street, municipally known as No. 401 Rymal Road East, the extent and boundaries of which are shown as Block 5 on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 14 of the 6th Report of the Planning and Development Committee at its meeting held on the 13th day of March 1990, directed that By-law No. 88-241, be further amended to modify the special requirement under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 2(a) of By-law No. 88-241 is revoked and the following substituted therefor:

(a) notwithstanding section 13A(1) of By-law No. 6593, the following

COMMERCIAL USES shall be prohibited:

1. A restaurant or refreshment room.

(2) In all other respects By-law No. 88-241 is hereby confirmed, unchanged.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-1" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1087a.

4. Sheets No. E-18D and E-18E of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1087a.

5. Schedule "A" annexed hereto is included in and forms part of this by-law.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

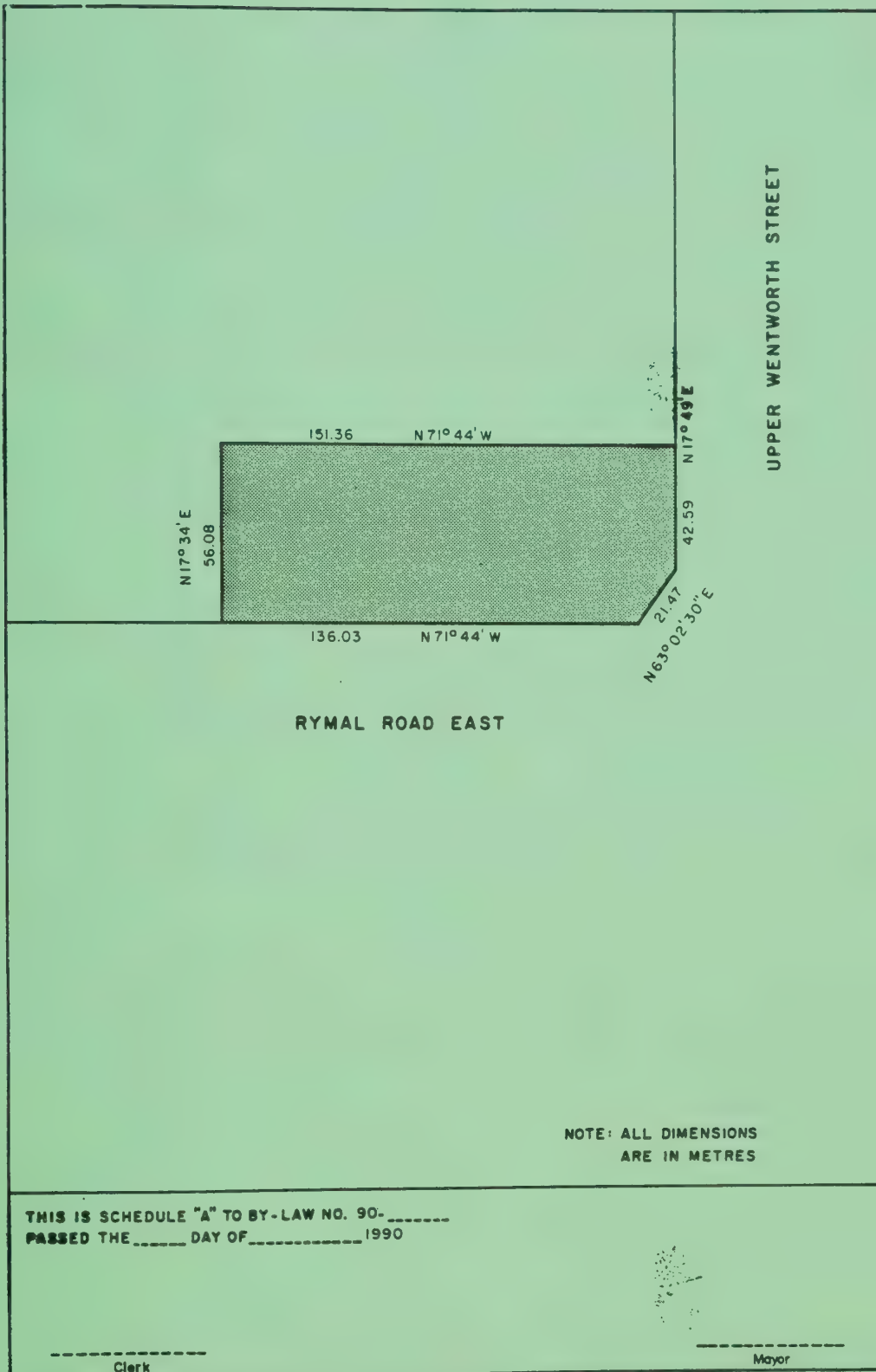
PASSED this                      day of                      A.D. 1990.



City Clerk

Mayor

(1990) 6 R.P.D.C. 14, March 13  
822827 Ontario Inc. (A. DiSilvestro,  
E. Parente, and N. Zaffiro), Owners  
Amended ZA-89-91





<p><b>CITY OF HAMILTON</b></p> <p>SCHEDULE "A"</p> <p>MAP FORMING PART OF</p> <p><b>BY-LAW NO. 90-</b></p> <p><b>TO AMEND BY-LAW NO. 6593</b></p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>			<p><b>LEGEND</b></p> <p> LANDS TO BE REGULATED BY BY-LAW NO. 90-</p>		
<p>North</p> 	<p>Scale</p> <p>NOT TO SCALE</p>	<p>Reference File No.</p> <p>ZA 89-91</p>			
<p>55</p>	<p>Date</p> <p>MARCH 16, 1990</p>	<p>Drawn By</p> <p>Z.K.</p>			

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

As Amended by:

Zoning By-law No. 66-139

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 142 STONE CHURCH ROAD WEST**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 66-139 on the 26th day of April 1966 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, in respect of the land on the north side of Stone Church Road West, west of the westerly limit of West 5th Street, the extent and boundaries of which are shown on a plan thereto annexed, which by-law was approved by the Ontario Municipal Board on 27th day of October 1966, (File No. P. 2060-66);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 66-218 on the 26th day of July 1966 to amend By-law No. 66-139 to correct a textual error in paragraph 2 thereof, which by-law was approved by the Ontario Municipal Board by Order dated the 27th day of October 1966, (File No. P. 2060-66);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton in adopting Item 9 of the 13th Report of the Planning and Development Committee at its meeting held on the 9th day of May 1989, directed that Zoning By-law No. 6593 be further amended to change the zoning, and that By-law No. 66-139, as amended, be further amended to remove a special reequirement in respect of the above-captioned land;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B-1" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law.

2. Sections 2, 3 and 4 of By-law No. 66-139 as amended, passed on the 26th day of April 1966, are revoked and the subsequent sections renumbered accordingly.

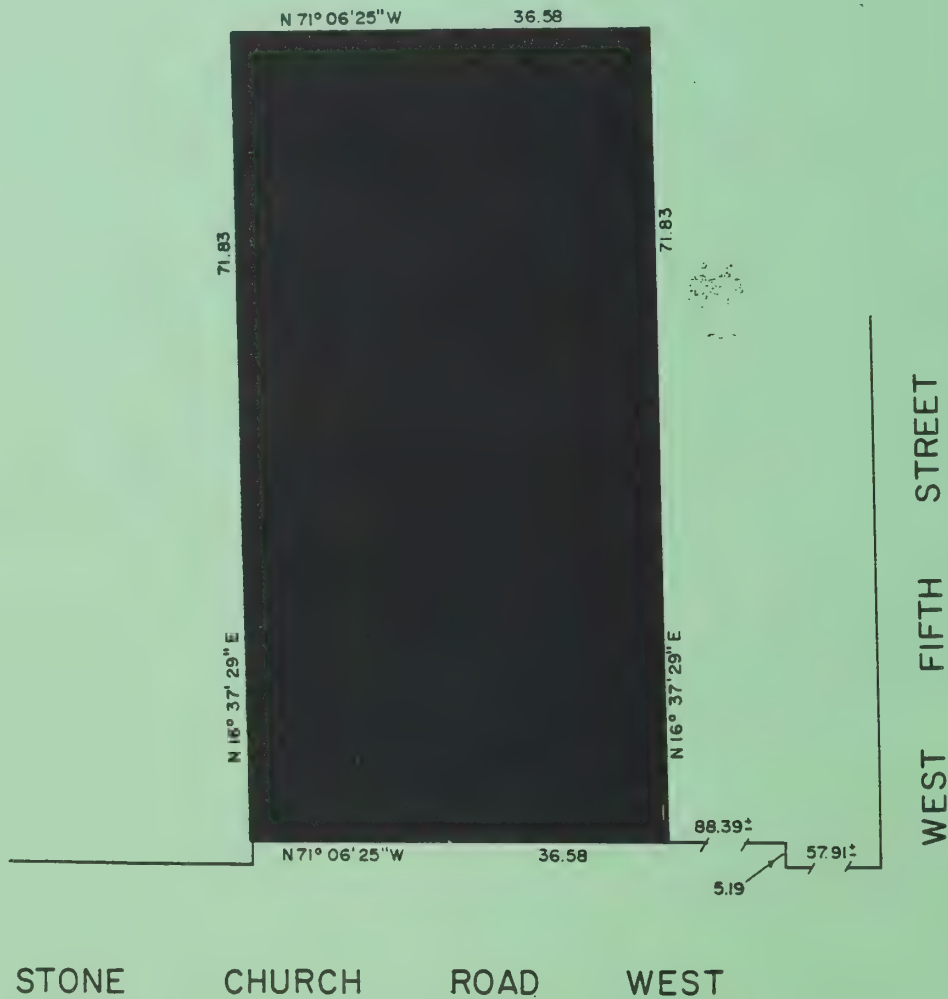
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1989) 13 R.P.D.C. 9, May 9  
Giovanni Marazzato, Owner  
ZA-89-09



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. ....  
 Passed the ..... day of ....., 19 .....

.....  
 Clerk

.....  
 Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
 By-Law No. ....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

### Legend

Change in zoning from:

"B-1"(Suburban Agriculture And Residential, etc.)District, Modified To "C"(Urban Protected Residential, etc.)District.

North



Scale  
 NOT TO SCALE

Date  
 MAY 1989

Reference File No.  
 ZA 89 - 09

Drawn By  
 R.J.M.



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

and Zoning By-laws No. 86-204 and 86-230

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 2774-2794 KING STREET EAST**

**WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 86-204 on the 25th day of June 1986 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G" District, in respect of the lands located in the area south of King Street East and West of Greenhill Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 86-230 on the 22nd day of July 1986 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "G" District, in respect of the lands located at the south-west corner of King Street East and Greenhill Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 21st day of January 1987;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Section 29(C) of the 19th Report of the Planning and Development Committee at its meeting held on the 29th day of August 1989, directed that Zoning By-law No. 6593, as amended by By-laws No. 86-204 and 86-230, be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 78, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 89-269, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) District provisions, as contained in Section 13 of Zoning By-law No. 6593, applicable to the land comprised in Blocks 1 and 2, the extent and boundaries of each of which Blocks are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,



(a) notwithstanding Section 13.(1)(vii) of By-law No. 6593, a restaurant shall be permitted, provided that,

1. It is contained within the second floor of the building;
2. It provides a seating capacity of not more than 60 persons and a seating area of not more than 111.5 m<sup>2</sup>; and
3. It does not provide a drive-through facility;

(b) a landscaped strip not less than 3.0 m in width shall be provided and maintained along the entire front lot line except for the access driveways;

2. (1) Section 2.(b)(i)(1) of By-law No. 86-204 is hereby deleted.

(2) Section 2.(a)(ii)(1) of By-law No. 86-230 is hereby deleted.

(3) In all other respects By-laws No. 86-204 and 86-230 are hereby confirmed, unchanged.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 1 of this by-law, and in section 2 of By-law No. 86-204 and section 2 of By-law No. 86-230, as amended.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedules S-955a and S-966a.

5. Sheet No. E-106 of the District Maps is amended by marking the lands referred to in section 4 of this by-law, S-955a and S-966a.

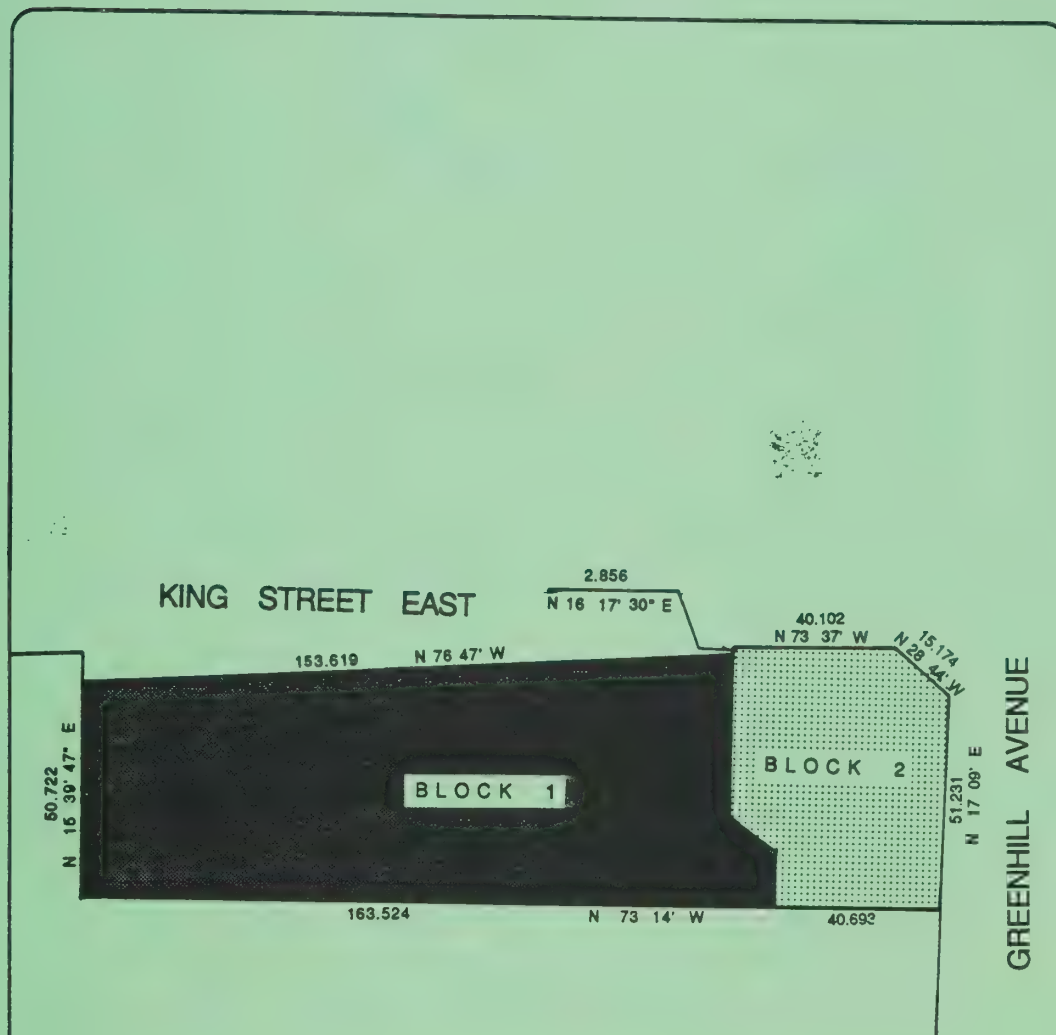
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1989) 19 R.P.D.C. 28(C), August 29  
Tommar Construction, Owner  
Amended ZA-87-58



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. ....  
Passed the ..... day of ....., 19 .....

.....  
Clerk

.....  
Mayor

City of Hamilton

Schedule A

Map Forming Part of  
By-Law No. ....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

BLOCK 1



BLOCK 2

Legend

Lands to be regulated by  
By - Law No.

North



Scale  
NOT TO SCALE

Date  
Aug. 22, 1989

Reference File No.  
ZA - 87 - 58

Drawn By  
W. S.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Building Code By-law No. 85-86  
and  
The Property Standards By-law No. 74-74

Respecting:

**FEES**

WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 85-86 on the 30th day of April 1985, pursuant to s. 5(2) of the Building Code Act, R.S.O. 1980, c. 365, to authorize building permits and fees;

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 74-74 on the 30th day of April 1974, pursuant to s. 36 of the Planning Act, R.S.O. 1970, c. 349 (now s. 31 of the Planning Act, 1983, S.O. 1983, c. 1), to provide for standards of maintenance and occupancy of property, which by-law was amended by By-law No. 84-93 enacted on the 24th day of April 1984 to provide for fees in respect of a certificate of compliance;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 4(a) of the 8th Report of the Planning and Development Committee at its meeting held on the 10th day of April 1990, directed that By-law No. 85-86 and By-law No. 74-74 as amended by By-law No. 84-93 be amended to increase fees charged by the Building Department for a building permit, a demolition permit, and a certificate of compliance as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Paragraph 1 of Schedule "A" to By-law No. 85-86 is amended by striking out the figure of \$25 in the first line of column 2 and inserting in lieu thereof the figure of \$50.

(2) Paragraph 2 of Schedule "A" to By-law No. 85-86 is amended by striking out the figure of \$100 in the first line of column 2, and inserting in lieu thereof the figure of \$200.

2. Paragraph 3 of Section 34 of By-law No. 74-74 as amended by By-law No. 84-93, is further amended by striking out the figure of \$150.00 wherever it occurs and inserting in lieu thereof the figure of \$200.00.

3. In all other respects, By-law No. 85-86 and By-law No. 74-74 as amended are hereby confirmed unchanged.

4. This by-law comes into force and effect on the 1st day of July 1990.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) 8 R.P.D.C. 4(a), April 10

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Designate An Improvement Area

GENERALLY COMPRISED OF  
LANDS ON THE EAST AND WEST SIDES OF MAIN STREET WEST  
BETWEEN LOCKE STREET ON THE WEST AND QUEEN STREET ON THE EAST

WHEREAS subsection 1 of section 217 of the Municipal Act, R.S.O. 1980, Chapter 302, provides that the council may pass by-laws designating an area as an improvement area;

AND WHEREAS the Council of The Corporation of the City of Hamilton has declared that objections in response to a notice of intention to pass a by-law designating the improvement area more particularly described in Schedule "A" hereto annexed and shown on Schedule "B" hereto annexed, were insufficient in that they did not constitute at least one-third of the persons entitled to the notice representing at least one-third of the assessed value of the land in the area that is used as a basis of computing business assessment;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 4 of the 6th Report of the Planning and Development Committee at its meeting held on 28th day of February 1989 authorized the preparation of a by-law designating the said area in accordance with subsection 1 of section 217 of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The area more particularly described in Schedule "A" and shown on Schedule "B" is hereby designated as an improvement area.

PASSED this            day of            A.D. 1990.

City Clerk

Mayor



## SCHEDULE "A"

To By-law No. 90-

Description of Main Street West  
Business Improvement Area

Those lands located in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, described as follows:

COMMENCING at the intersection of the northerly limit of Main Street and the centre line of Locke Street;

THENCE northerly along said centre line of Locke Street, a distance of one hundred point forty-five feet (100.45') to a point;

THENCE easterly at right angles to said centre line a distance of sixteen point forty-seven feet (16.47') more or less to a point in the easterly limit of Locke Street, distant one hundred feet (100.00') measured northerly therealong from its intersection with the northerly limit of Main Street West;

THENCE easterly and parallel with the southerly limit of Nelson Street a distance of one hundred point five zero feet (100.50') more or less to an iron bar planted;

THENCE South 17 24'56" West along the easterly limit of #334 Main Street West as described in Instrument #338188C.D. a distance of eighty-one point three six feet 81.36' more or less to a point in the northerly limit of Main Street West;

THENCE South 72 50'39" East along the northerly limit of Main Street a distance of one hundred and one point three zero feet (101.30') to a point;

THENCE Northerly and parallel to Pearl Street a distance of fifty-nine feet (59.00') more or less to a point in the southerly limit of St. Vincent Roman Catholic School lands;

THENCE Easterly along said St. Vincent lands twenty-three point eighty-three feet (23.83') to a point;

THENCE Southerly and parallel with Pearl Street fifty-nine feet (59.00') more or less to a point in the northerly limit of Main Street;

THENCE South 72 50'39" East along the northerly limit of Main Street a distance of one hundred and twenty feet (120.00') more or less to its intersection with the westerly limit of Pearl Street;

THENCE North 17 21'36" East along the westerly limit of Pearl Street to a point west of and at right angles to a point in the easterly limit of Pearl Street, distant two hundred and sixty-four point zero feet (264.0') measured South 17 16'55" West therealong from the southerly limit of George Street;



THENCE to and along a fence marking the northerly boundary of Lot 13 according to James Mills' Survey a distance of eighty-seven feet (87.0') to a bend in the fence;

THENCE continuing easterly along a fence marking the limit between Lots 11 and 13 a distance of twenty-seven point sixty-seven feet (27.67') and a further distance of twenty-three point eighty-three feet (23.83') more or less to the fence marking the division line between lots 8 and 13 on the James Mills Survey;

THENCE southerly along said division line eighty-five point eighty-three feet (85.83') more or less to a point in the northerly limit of Main Street;

THENCE South 72 59'30" East along the northerly limit of Main Street to the southwesterly angle of Lot 12 on said James Mills Survey;

THENCE Northerly to and along the westerly limit of Lot 12 one hundred and thirteen point five feet (113.50') more or less to the southerly boundary of a twelve foot wide alley (12') running westerly from Ray Street;

THENCE easterly along the southerly limit of said alley a distance of one hundred and twenty-five point three feet (125.3') more or less to its intersection with the westerly limit of Ray Street;

THENCE north-easterly to a point in the easterly limit of Ray Street, distant one hundred and twenty-five point five zero feet (125.50') measured northerly therealong from the northerly limit of Main Street;

THENCE easterly along an existing fence eighty-three point three-seven feet (83.37') to a point;

THENCE North 17 17'36" East and parallel to Ray Street a distance of fifty-one point five zero feet (51.50') to a point;

THENCE easterly along a fence marking the northerly limits of Lots seven, eight and nine in the Second Block and First Range of the James Mills Survey registered as Plan #1435 to the north-easterly angle of Lot 9 aforesaid;

THENCE continuing easterly along the southerly limit of Lot 6, a distance of twenty-nine point five zero feet more or less (29.50') to a planted iron bar, distant one hundred and six point forty-two feet (106.42') measured westerly therealong from the southeasterly angle thereof;

THENCE northerly, thirty point zero feet (30.00'), along a line which if produced northerly would intersect the southerly limit of George Street at a point therein distant ninety-eight point seventeen feet (98.17') measured westerly along the said southerly limit of George Street from the westerly limit of Queen Street;

THENCE easterly one hundred and four point twenty-one feet more or less (104.21') to a point in the westerly limit of Queen Street distant ninety-eight point zero feet (98.00') measured southerly therealong from the southerly limit of George Street aforesaid;

THENCE South 72 50'30" East and at right angles to the westerly limit of Queen Street, a distance of thirty-three point zero feet (33.0') to a point;

THENCE Southerly along the centreline of Queen Street being also the original road allowance between Lots 16 and 17, Township of Barton, a distance of three hundred and twenty-six feet more or less (326') to a point of intersection, said intersection being the centreline of Queen Street and the production easterly of the southerly limits of Lots 2,5,7,9 and 11 in the James Mills Survey in the block bounded by Jackson, Ray, Main and Queen Streets;

THENCE westerly to and along said southerly limits of Lots 2,5,7,9 and 11 to the southwesterly angle of Lot 11 in the last mentioned Block;

THENCE northerly to and along the westerly limit of Lot 11 last mentioned a distance of thirty point zero feet (30.00') more or less to a point distant seventy point zero feet (70.0') measured southerly therealong from the north-westerly angle thereof;

THENCE westerly and parallel to the northerly limit of Lots 13 and 14 being also Main Street, a distance of one hundred feet (100') more or less to its intersection with the easterly limit of Ray Street;

THENCE westerly across Ray Street a distance of fifty point one-five feet more or less (50.15') to a point in the westerly limit of Ray Street distant sixty-seven point four-two feet (67.42') measured southerly therealong from the southerly limit of Main Street;

THENCE westerly and parallel to Main street a distance of fifty feet (50.0') to a point;

THENCE southerly along the easterly limit of Lot 2 in the block bounded by Jackson, Pearl, Main and Ray Street in the James Mills Survey, a distance of thirty-two point five-eight feet (32.58') to the south east angle of said Lot 2;

THENCE westerly along the southerly limits of Lots 2,5,7,9,11 and 13 in the last mentioned Block and James Mills Survey to the south-west angle of Lot 13;

THENCE northerly to and along the westerly limit of Lot 13 a distance of thirty point zero feet (30.0') to a point;

THENCE westerly and parallel to the southerly limit of Main Street, a distance of fifty point zero feet (50.0') to a point in the easterly limit of Pearl Street, distant seventy point zero feet (70.0') measured southerly therealong from the southerly limit of Main Street;

THENCE westerly across Pearl Street a distance of fifty point zero feet (50.0') more or less to a point in the westerly limit of Pearl Street distant eighty-six point zero feet (86.0') measured southerly therealong from the southerly limit of Main Street;

THENCE westerly and parallel to Main Street a distance of sixty-one point eleven feet more or less (61.11') to a fence running northerly, in the block bounded by Jackson, Locke, Main and Pearl Streets in the James Mills Survey aforementioned;

THENCE southerly and parallel to the westerly limit of Pearl Street a distance of twelve point twenty-five feet (12.25') to a point on a fence;

THENCE westerly to and along the southerly limits of Lots 2,5,8,9 and 12 in the last mentioned block and Survey to the southwesterly angle of Lot 12;

THENCE northerly along the westerly limit of said Lot 12 a distance of thirty-five point five zero feet more or less (35.50') to a point, distant sixty-two point zero feet (62.0') measured southerly therealong said westerly limit of Lot 12 from the southerly limit of Main Street;

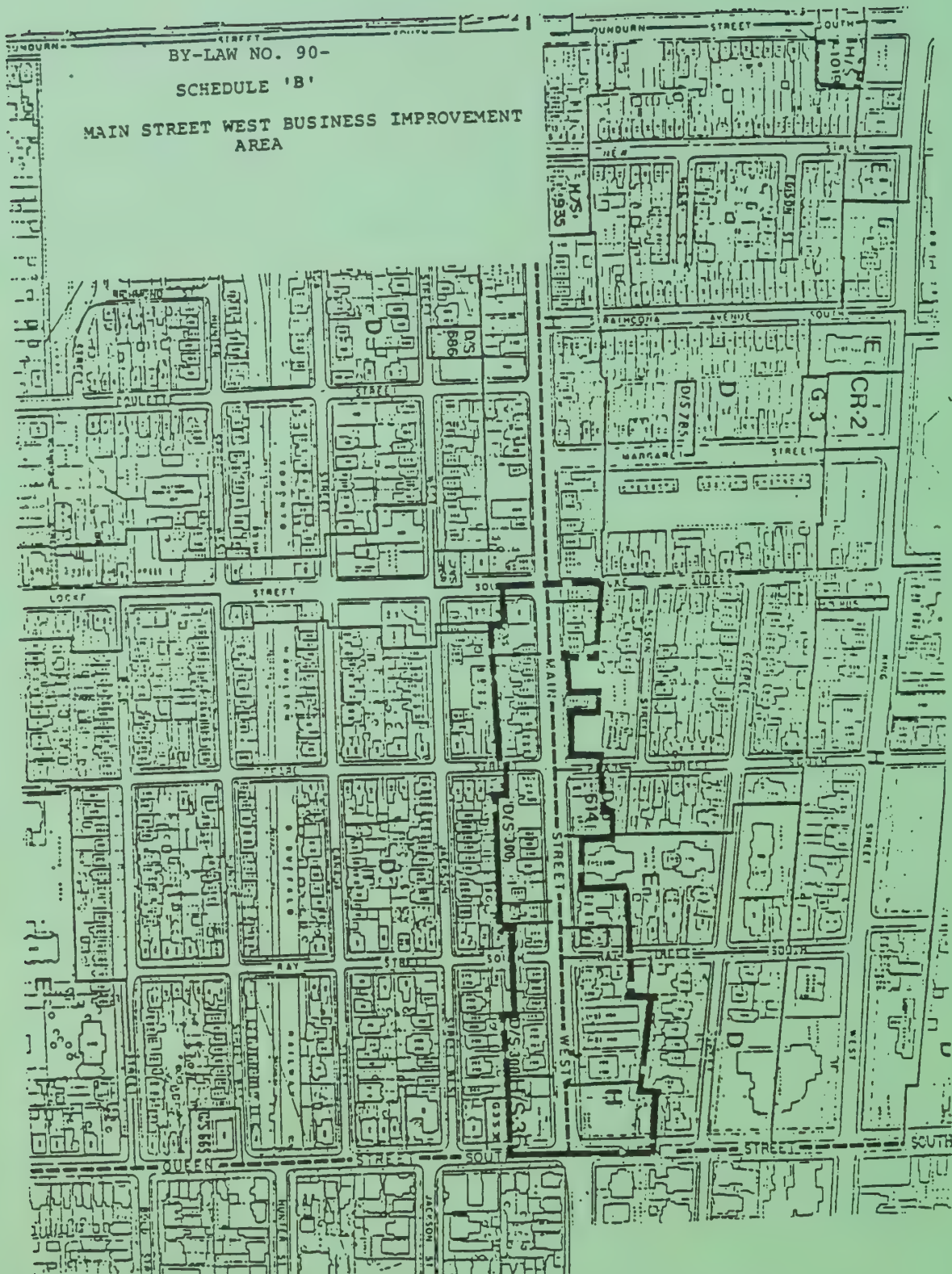
THENCE westerly and parallel to Main Street a distance of fifty-one feet point zero feet (51.0') more or less to a point in the westerly limit of Locke Street;

THENCE continuing westerly and parallel to Main Street a distance of thirty-three point zero feet (33.0') to a point in the centre line of Locke Street;

THENCE northerly along the centreline of Locke Street to an intersection point, being the intersection of the centreline of Locke Street last mentioned and the line joining the south east and south west corners of Main and Locke Streets;

THENCE northerly from said intersection point a distance across Main Street of sixty-six feet more or less (66.0') to the point of commencement





The Corporation of the City of Hamilton

BY-LAW NO. 90-

Respecting:

**FIREWORKS**

**WHEREAS** paragraphs 30 and 31 of Section 210 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provide as follows:

210. By-laws may be passed by the council of all municipalities:

30. For regulating the sale of fireworks or any class or classes thereof and for prohibiting the sale of fireworks or any class or classes thereof on any day or days during the year or to any person under the age of twelve years.
31. For prohibiting or regulating the setting off of fireworks or any class or classes thereof in the municipality or in any defined area or areas thereof and for requiring a permit for the holding of fireworks displays and prescribing the conditions under which fireworks displays may be held under such permit;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed By-law No. 79-128 on the 24th day of April 1979 to prohibit and regulate the sale and setting off of fireworks;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton, in adopting Item of the Report of the Finance and Administration Committee at its meeting held on the day of 1990 directed that By-law No. 79-128 be repealed and replaced as hereinafter provided.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
  - (a) "Chief of Police" means the Chief of Police for The Regional Municipality of Hamilton-Wentworth;
  - (b) "City" means The Corporation of the City of Hamilton ;
  - (c) "Display fireworks" means high-hazard fireworks for recreation, including firecrackers, that are classed under Class 7, Division 2, Subdivision 2 under the Explosives Act, R.S.C. 1970, c. E-15, as amended, and the Explosives Regulations made thereunder, and includes but is not limited to rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons;



- (d) **"family fireworks"** means low-hazard fireworks for recreation that are classed under Class 7, Division 2, Subdivision 1 of the Explosives Act, R.S.C. 1970, c. E-15 as amended, and the Explosives Regulation made thereunder, and includes but is not limited to firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers, and other similar devices, but does not include Christmas crackers and paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares, or marine rockets;
- (e) **"Fire Chief"** means Chief of the Fire Department of the City of Hamilton;
- (f) **"firecracker"** means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares, or marine rockets;
- (g) **"magazine"** means magazine as defined in the Explosives Act, R.S.C. 1970, c. E-15, as amended, more particularly described in Schedule "C" hereto annexed;
- (h) **"motor vehicle"** means motor vehicle as defined in the Highway Traffic Act, R.S.O. 1980, c. 198, as amended;
- (i) **"PERMIT"** means permission to hold a fireworks display granted by the City of Hamilton on a completed Permission of Local Authority form, affixed to FORM 1, hereto annexed as Schedule "A", signed and issued by the Manager of the Licence Division for the City of Hamilton;
- (j) **"prohibited fireworks"** includes but is not limited to cigarette loads or plugs, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink, or key chain pistols, auto alarms or jokers, "cherry bombs", M-80 and silver salutes and flash crackers; throw down and step on torpedoes, and crackling balls; exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party poppers and table bombs, table rockets and bottle skyrockets, fake firecrackers and other trick devices or practical jokes, each of which is more particularly described in Schedule "B" hereto annexed;
- (k) **"retail sale"** means a sale for the purpose of consumption or use and not for resale;
- (l) **"shop"** means a building or part of a building, booth, stall or place where goods are exposed or offered for sale.

## PART 1

## Firecrackers

2. (1) No person shall possess, offer for sale, cause or permit to be sold, or sell any firecrackers or other prohibited fireworks.

(2) No person shall discharge, fire, set off or cause, or permit, to be discharged, fired or set off any firecrackers or other prohibited fireworks.

## PART 2

## Family Fireworks

3. (1) No person shall offer for sale, cause or permit to be sold, sell or possess family fireworks unless,

- (a) the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Energy, Mines and Resources (Canada), or their successors;
- (b) the fireworks are displayed in lots that do not exceed 25 kilograms each in gross weight;
- (c) the fireworks are displayed in a package, glass case or other suitable receptacle away from inflammable goods; and
- (d) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat.

(2) Notwithstanding subsection (1), no person shall offer for sale, cause or permit to be sold, or sell family fireworks from an outdoor stand, tent, van, trailer, or motor vehicle.

4. Fireworks displayed in any shop window shall be mock samples only and shall not contain explosive composition.

5. No person who offers for sale any family fireworks shall, at any time, keep or permit the keeping of any family fireworks in any location in a shop unless the location is designated and posted as a "no-smoking" area.

6. (1) No person shall offer for sale, cause or permit to be sold or sell family fireworks except on Victoria Day, Canada Day, and each of the seven days immediately preceding Victoria Day and Canada Day.

(2) No person shall offer for sale, cause or permit to be sold or sell family fireworks to any person under the age of eighteen years.

7. (1) No person shall set off family fireworks except on Victoria Day and Canada Day.

(2) No person under the age of eighteen years shall set off family fireworks except under the direct supervision and control of a person eighteen years of age or older who shall, at all times, remain physically present in the immediate area where the fireworks are being set off.

(3) No parent or guardian of any person under the age of eighteen years shall allow or permit that person to set off family fireworks except under the direct supervision and control of a person eighteen years of age or older who shall, at all times, remain physically present in the immediate area where the fireworks are being set off.

8. No person shall set off or hold a display of family fireworks on any land that is not owned by him or her, unless written permission for the setting off or the holding of a display of family fireworks on a date to be clearly specified in the written permission, has been obtained from the owner, lessee or person in charge of the land.

9. No person shall set off family fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.

10. No person shall set off or continue to set off family fireworks or shall display family fireworks that create a nuisance or that create or may create an unsafe condition as regards danger from fire or from risk of accident or injury at or in respect of any place, location or site, or to or in respect of any person, property or thing.

11. (1) Subject to subsection (2), no person shall set off family fireworks, into, in, or on, any highway, street, lane, square or other public place which the public or any member thereof uses or may use.

(2) Nothing in subsection (1) shall prohibit the display of family fireworks in a public place in accordance with the provisions of this Part.

### PART 3

#### Display Fireworks

12. (1) No person shall offer for sale, cause or permit to be sold, sell or possess Display fireworks unless the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Energy, Mines and Resources (Canada) or their successors;

(2) No person shall set off or shall hold a display of Display fireworks without a PERMIT issued by the City of Hamilton and signed by the Manager of the Licence Division for the City of Hamilton.



13. (1) Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved thereunder as a Display Fireworks Supervisor by the Chief Inspector of Explosives, may make application in writing to the City of Hamilton, Manager of the Licence Division, for a PERMIT to set off or hold a display of Display fireworks.

(2) Every application for a PERMIT under subsection (1) shall be made on Form 1, hereto annexed as Schedule "A", and shall be complete as to the information required.

(3) Every application for a PERMIT under subsection (1) shall include, a fully and correctly completed Form 1, and:

- (a) proof of liability insurance, in an amount equal to the City's deductible under its general liability policy as it exists from time to time, naming The Corporation of the City of Hamilton as co-insured and where applicable naming The Regional Municipality of Hamilton-Wentworth also as co-insured, and containing a cross-liability clause; and
- (b) completion in full of the Hamilton-Wentworth Regional Police Access To Information Waiver on Schedule 1 to Form 1 hereto annexed as Schedule "A"; and
- (c) proof that the applicant has been approved by the Chief Inspector of Explosives as a Display Fireworks Supervisor; and
- (d) a description of the site to be used for the setting off of the Display Fireworks, sufficient to identify and locate the site, and where more than one site is proposed, a separate application shall be made for each site; and
- (e) proof that Section 17(1) and (2) have been complied with; and
- (f) such further and other information as the Manager of the Licence Division, after consultation with the Chief of Police and the Fire Chief, may require.

14. Every application for a PERMIT under section 13 shall be made not less than 30 days before the setting off or the holding of the display of Display fireworks.

15. (1) Before signing and issuing the Permission of Local Authority form, the Manager of the Licence Division shall obtain a report from the Fire Chief and from the Chief of Police.

(2) The Manager of the Licence Division for the City of Hamilton shall not sign the Permission of Local Authority form where,

- (a) a report from the Chief of Police under subsection (1) indicates that the Applicant has, within a period of ten (10) years immediately prior to the date of the application, a record of criminal conviction for improper or careless use, or wilful misuse, of fireworks or explosives, or arson or an arson-related conviction, or a record of conviction under this by-law or any of its predecessors, or

- (b) a report from the Fire Chief under subsection (1) indicates that the proposed site is not suitable for a display of Display fireworks, or
- (c) the Applicant does not affix to the completed application form a certificate of insurance showing general public liability and property damage coverage in an amount equal to the City's deductible on its general liability policy as it exists from time to time, naming the City of Hamilton as co-insured and where applicable naming The Regional Municipality of Hamilton-Wentworth also as co-insured, and containing a cross-liability clause.

(3) Where the Applicant has submitted a completed and correct application under Section 13 and the provisions of Section 15(1) have been satisfied, subject to Section 15(2), the Manager of the Licence Division shall sign and issue the Permission of Local Authority.

(4) Where the Manager of the Licence Division does not sign the Permission of Local Authority pursuant to the provisions of Section 15(2)(a), the Applicant shall have the right to apply to the Licence Committee of the City of Hamilton for a waiver of the requirement set out in Section 15(2)(a).

(5) Where an application is made to the Licence Committee pursuant to Section 15(4), the Committee shall conduct a hearing pursuant to The City of Hamilton Act, 1978, and shall determine, having regard to all of the evidence presented, whether the requirements of Section 15(2)(a) should be waived. In making its determination the Licence Committee shall have regard to the following:

- (a) public safety;
- (b) the risk of damage to property;
- (c) the character of the Applicant; and
- (d) any other factors, which in the opinion of the Committee, are relevant to the determination of the issue.

(6) Where the Licence Committee, after holding a hearing under Section 15(5), has any reason to believe that the character of the Applicant may be bad, or that the granting of the PERMIT would create a reasonable apprehension of risk to public safety or of damage to property, it shall deny the application and no Permission of Local Authority shall be issued to the Applicant.

(7) Where the Licence Committee has determined, after a hearing, that the requirements of Section 15(2)(a) should be waived with respect to an Applicant, and the Applicant's application is otherwise complete and correct, the Manager of the Licence Division, shall sign and issue the Permission of Local Authority.

16. (1) Every PERMIT issued under section 15 shall specify the name of the applicant, the name of the sponsoring organization if applicable, the date, time and a sufficient description of the site for the setting off or display of Display fireworks to enable it to be identified and located.



(2) No person shall set off or hold a display of Display fireworks at a date, time, location or site other than that specified in the PERMIT.

17. (1) Notwithstanding section 16, no person shall set off or hold a display of Display fireworks at any location or site without the written permission of the owner of the site or an authorized representative thereof.

(2) No person shall set off or hold a display of Display fireworks on any location or site without the written permission of the owner or an authorized representative thereof of all neighbouring lands upon which debris may be reasonably expected to fall.

18. No person shall exhibit, display, offer for sale, cause or permit to be sold, or sell Display fireworks unless prior to the sale the fireworks are kept and maintained in a magazine licensed by the Explosives Branch of the Department of Energy, Mines and Resources (Canada).

19. No person shall give, offer for sale, cause or permit to be sold or sell Display fireworks to any person, unless that person

- (a) is eighteen years of age or older,
- (b) holds a valid Fireworks Supervisor's Card, and
- (c) holds a valid PERMIT issued by the City of Hamilton.

20. Every person to whom a PERMIT is issued under section 15 shall,

- (a) provide and maintain fully operational fire extinguishing equipment ready for immediate use, and present at all times and for a reasonable period thereafter, at the location or site of the setting off or holding of a display of Display fireworks;
- (b) conform to the provisions of the current issue of the Fireworks manual as published from time to time by the Explosives Branch of the Department of Energy, Mines and Resources (Canada), or any successor publication, for the setting off or holding of a display of Display fireworks;
- (c) produce the PERMIT on demand by any person authorized to enforce this by-law under section 28; and
- (d) permit the inspection of any site where the Display fireworks may be stored, set off or displayed, and the Display fireworks themselves together with all associated equipment, by anyone authorized to enforce this by-law, forthwith upon demand.

21. (1) No person except the holder of a valid Fireworks Supervisor's Card shall set off any Display fireworks.

(2) The Fireworks Supervisor who is named on the application to purchase shall be present in person at the display at all times during which the display is being set up, fired and cleaned up.

22. Every person to whom a PERMIT is issued shall, at the immediate termination of the setting off or holding of a display, carry out a site inspection and:

- (a) remove all unused or partly used Display fireworks,
- (b) remove all debris remaining after use or partial use of Display fireworks, and
- (c) return the site to the condition it was in prior to the setting off or holding of the display.

23. (1) Every person to whom a PERMIT is issued shall, at the termination of the setting off or holding of a display, carry out a final site inspection as soon as is practicable during daylight hours, but not later than 12 hours after the termination of the setting off or holding of the display and:

- (a) remove all unused or partly used Display fireworks,
- (b) remove all debris remaining after use or partial use of Display fireworks, and
- (c) return the site to the condition it was in prior to the setting off or holding of the display.

(2) The grounds on which Display fireworks are set off or held shall, after the termination of the setting off or holding of the fireworks, be kept under continual surveillance, by a person eighteen years of age or older, until the final site inspection has been completed by the PERMIT-holder identified under subsection (1).

24. (1) No person shall set off Display fireworks, into, inside of, or closer than 10 metres to, any building, accessory building or structure, or motor vehicle.

(2) No person shall set off Display fireworks within 200 metres of any premises or place where explosives, gasoline or other highly inflammable substances are manufactured, or stored in bulk.

(3) No person shall set off Display fireworks within 200 metres of a hospital, nursing home, home for the aged, church or a school unless the consent of the City and the owner or authorized representative thereof is obtained.

25. Notwithstanding any other provision of this Part, no person shall set off or continue to set off Display fireworks or shall display Display fireworks that create a nuisance or that create or may create an unsafe condition as regards danger from fire or from risk of accident or injury at or in respect of any place, location or site, or to or in respect of any person, property or thing.

26. (1) Subject to subsection (2), no person shall set off Display fireworks, into, or in, or on, any highway, street, lane, square or other public place which the public or any member thereof uses or may use.

(2) Nothing in subsection (1) shall prohibit the display of Display fireworks in a public place in accordance with the provisions of this Part.

**PART 4****General**

27. A PERMIT issued under this by-law is not transferable.

28. (1) In the event of non-compliance with the provisions of this by-law, by any person, an Order to Comply on Form 2 hereto annexed as Schedule "D" may be issued and served upon such person, by,

- (a) the City Clerk, or any authorized by-law enforcement officer for the City; or
- (b) the Chief of the Fire Department, or the Chief Fire Prevention Officer, or any Officer or Inspector of the Fire Department; or
- (c) the Chief of Police or any other police constable.

(2) Every person to whom an Order to Comply is issued, or upon whom an Order to Comply is served, shall, forthwith, take such steps as are necessary to comply with the Order within the time provided for compliance.

29. Where any holder of a PERMIT fails to comply with a request to inspect pursuant to Section 20(d), or fails to comply with an Order to Comply issued pursuant to Section 28, in addition to any other remedy or penalty under this by-law, the Manager of the Licence Division shall immediately revoke their PERMIT and shall forthwith cause them to be served with a written notice of such revocation and upon service of the notice of revocation the PERMIT holder shall forthwith surrender the PERMIT to the City.

30. The following persons are authorized to enforce this by-law:

- (a) the City Clerk, the Manager of the Licence Division, or any authorized by-law enforcement officer for the City; and
- (b) the Chief of the Fire Department, the Chief Fire Prevention Officer, or any Officer or Inspector of the Fire Department; and
- (c) the Chief of Police or any other police constable.

31. Every person who contravenes any provision of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00, exclusive of costs.

32. Schedules "A", "B", "C" and "D" hereto annexed are included in and form part of this by-law.

33. By-law No. 79-128, enacted on the 24th day of April 1979, is hereby repealed.

34. This by-law comes into force and effect on the date of its passing and enactment.

35. This by-law may be cited as the Fireworks By-law.

PASSED this                      day of                      A.D. 1990.

City Clerk

Mayor

(1990) R.F.A.



## SCHEDULE "A"

To

By-law No. 90-

## FORM 1

# APPLICATION TO PURCHASE CLASS 7.2.2. HIGH-HAZARD FIREWORKS FOR RECREATION

(CANADIAN CONTROL CATEGORY 5)

- NOTE: 1. Applicant must be the person supervising the firing of the fireworks.  
2. Submit application to supplier with your order.  
3. Please print.

NAME OF APPLICANT \_\_\_\_\_ AGE \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

POSTAL CODE \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
(AREA CODE)

## I HEREBY MAKE APPLICATION TO PURCHASE C.C.C.5 FIREWORKS ON BEHALF OF:

MYSELF \_\_\_\_\_ OR SPONSORING ORGANIZATION \_\_\_\_\_

ADDRESS \_\_\_\_\_

LOCATION OF DISPLAY \_\_\_\_\_

\_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

I CERTIFY THAT I HAVE COMPLETED A COURSE FOR FIREWORKS SUPERVISORS, HAVE READ, UNDERSTAND AND WILL BE GUIDED BY THE PRINCIPLES AND SAFETY RULES OF THE FIREWORKS MANUAL AND BY THE SPECIFIC INSTRUCTIONS OF THE MANUFACTURER GOVERNING A PARTICULAR FIREWORK.

FIREWORKS SUPERVISOR'S CARD NO. \_\_\_\_\_ EXPIRY DATE \_\_\_\_\_

DATE \_\_\_\_\_ SIGNATURE OF APPLICANT \_\_\_\_\_

## PERMISSION OF LOCAL AUTHORITY

NOTE: TO BE COMPLETED BY THE LOCAL AUTHORITY HAVING JURISDICTION OVER FIREWORKS DISPLAYS.

The applicant has complied with local requirements and has permission to hold a fireworks display at the location and time mentioned above.

SIGNATURE OF LOCAL AUTHORITY \_\_\_\_\_

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

CITY/TOWN/MUNICIPALITY \_\_\_\_\_

Note: This permit must be produced on demand under S.20(c) of the Fireworks By-law No. 90-



Schedule I  
to  
Schedule "A"

**HAMILTON-WENTWORTH REGIONAL POLICE**  
**CONSENT TO DISCLOSURE OF PERSONAL INFORMATION**

I, (Surname) \_\_\_\_\_ (Given Names) \_\_\_\_\_  
(Please Print)  
(Maiden name if applicable) \_\_\_\_\_

(Address) \_\_\_\_\_ (Postal Code) \_\_\_\_\_

(Provide previous address if you did not reside at above address for more than five years)

(Previous Address) \_\_\_\_\_

(DOB:) Year \_\_\_\_\_ (Month) \_\_\_\_\_ (Day) \_\_\_\_\_ (Sex) \_\_\_\_\_ (Phone Number) \_\_\_\_\_

(Drivers Licence Number) \_\_\_\_\_

Hereby authorize The Hamilton-Wentworth Regional Police Force to release to:

the Manager of the Licence Division of the City of Hamilton, regarding City of Hamilton Fireworks By-law No. 90- , S.15(3)(a), any information pertaining to me, including records of conviction, that may be contained in the records of The Hamilton-Wentworth Regional Police Force,

OR SPECIFICALLY: arson or arson related convictions and/or incidents, improper or careless use of fireworks convictions and/or incidents.

**WAIVER AND RELEASE:**

I hereby release and forever discharge The Hamilton-Wentworth Regional Police, its agents and assigns, and all officers of the said Force, from any and all actions, causes of actions, claims and demands for damages, loss or injury, howsoever arising, which may hereafter be sustained by myself, and waive all rights thereto.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Signature, organization witness

Where required for LICENCING APPLICATION PURPOSES, I hereby authorize the authority of this document to be valid for a period of SIX MONTHS from the above date:

\_\_\_\_\_  
Signature of applicant

**FOR POLICE USE ONLY**

**DISPOSITION: (CLERK) \_\_\_\_\_ (DATE) \_\_\_\_\_**

**COPIED AND RETURNED:**

## SCHEDULE "B"

To

By-law No. 90-

## PROHIBITED FIREWORKS

Commodity	Description
Cigarette loads or plugs	Small explosive charges designed for insertion in cigarettes or cigars which will cause them to explode after the victim takes a few puffs.
Exploding matches	Resemble ordinary book matches and are designed to explode after a certain delay, usually about the time they are in position to light a cigarette.
Sparkling matches	Also resemble the normal book matches but send out a shower of sparks.
Ammunition for miniature tie clip, cufflink or key chain pistols	A violent type of blank ammunition made up for use as a novelty.
Auto alarms or jokers	Supposedly designed as burglar alarms but are really for a practical joke; when wired to the ignition system of a car they operate with a loud screeching whistle followed by copious emission of smoke and a loud explosion.
"Cherry" bombs, M-80 and silver salutes, and flash crackers	Very violent firecrackers which annually cause serious injuries; they are considered far too violent and contain an excessive charge of a prohibited fireworks composition.
Throw-down and step-on torpedoes, and cracking balls	Small objects designed to explode on impact; some of the latter are so shaped and coloured as to look like children's breakfast cereal or candy balls.
Exploding golf balls	Designed to explode and emit a cloud of smoke on impact.
Slink bombs and smoke bombs	Often made to resemble cherry bombs and salutes; are used for practical jokes (also prohibited from importation under Memorandum D33-1 Importation of Offensive Weapons).
Tear gas pens and launchers	Resemble a pen, may contain a mechanism activated by an explosive, and are supposedly for protection against muggers, but are more commonly used as offensive weapons or as practical jokes (also prohibited under Memorandum D33-1).
Party poppers and table bombs	Designed to project paper streamers or dispense party favours; the smaller ones are made of coloured plastic, shaped like champagne bottles.
Table rockets and bottle skyrockets	Small fireworks designed to be launched from a table or a bottle and bursting in a shower of sparks or a cloud of smoke.
Fake firecrackers and other trick devices or practical jokes	Any article which employs or simulates an explosive or a pyrotechnic for a trick or joke.

SCHEDULE "C"

To

By-law No. 90-

DEFINITION OF MAGAZINE

Explosives Act, R.S.C., 1970, c. E-15

Amended 1974-75-76, c. 60

Amended 1980-81-82-83, c. 165, S. 37

"magazine" means any building, storehouse, structure or place in which any explosive is kept or stored, but does not include

- (a) a place where an explosive is kept or stored exclusively for use at or in a mine or quarry in a province in which provision is made by the law of that province for efficient inspection and control of explosives stored and used at or in mines and quarries,
- (b) a vehicle in which an authorized explosive is being conveyed in accordance with this Act,
- (c) the structure or place in which is kept for private use, and not for sale, an authorized explosive to an amount not exceeding that authorized by regulation,
- (d) any store or warehouse in which are stored for sale authorized explosives to an amount not exceeding that authorized by regulation, or
- (e) any place at which the blending or assembling of the inexplusive component parts of an authorized explosive is allowed under section 8.



**SCHEDULE 'D'**  
to  
**BY-LAW NO. 90-**



The Corporation of the City of Hamilton  
Hamilton, Ontario

**FORM 2**

# ORDER TO COMPLY

ISSUED TO FIRE WORKS SUPERVISOR		LOCATION
NAME		DATE
ADDRESS	TELEPHONE NO.	TIME
SPONSORING ORGANIZATION		

In accordance with the City of Hamilton Fireworks By-law No. 90- , an inspection was conducted and the following violations were noted:

PART	SECTION	DETAILS OF VIOLATION

If the above violations are not corrected by (date/time) \_\_\_\_\_, you will be prosecuted for failure to comply with the requirements of the Fireworks By-law.

Section 31, of the City of Hamilton Fireworks By-law, reads as follows:

Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00, exclusive of costs.

**N.B.** In addition to any other remedy or penalty under this by-law, Section 29 provides that upon failure of any holder of a **PERMIT** to comply with an Order to Comply, the Manager of the Licence Division SHALL revoke the **PERMIT**.

RECEIVED BY	DATE	OFFICER/INSPECTOR	DATE
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**DISTRIBUTION**

1. Fireworks Supervisor
  2. Manager of Licence Division
  3. Issuing Authority
  4. Energy, Mines, and Resources Canada, Explosives Branch
- Attn: Chief Inspector of Explosives



BY-LAW NO. 90 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 26th DAY OF JUNE A.D., 1990.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1990

CITY CLERK

MAYOR



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